

New Anglia Local Enterprise Partnership Board Meeting

Wednesday 27th March 2019

10.00am to 12.30pm

Birketts Solicitors, Providence House, 141-145 Princes Street
Ipswich IP1 1QJ

Agenda

No.	Item	Duration
1.	Welcome from the Chair	20 mins
2.	Apologies	
3	Welcome from Jonathan Agar, Birketts CEO	
4.	Declarations of Interest	
5	Actions / Minutes from the last meeting	
Governance and Delivery		50 mins
6.	Delivery Plan	For Approval
7	2019/2020 Budget	For Approval
8.	Brexit	Update
9.	Capital Growth Programme Call	For Approval
Break		10 mins
Governance and Delivery		70 mins
10.	New Anglia LEP Governance	For Approval
11.	European Structural and Investment Funds Strategy	For Approval
12.	Amendments to Articles of Association	For Approval
13.	Chief Executive's Report	Update
14.	March Programme Performance Reports including a confidential report	Update
15.	Growth Deal Project Change Request	For Approval
16.	Finance Report including Confidential Appendix	Update
17.	Board Forward Plan	Update
18.	Any Other Business	
Board Members Only		
19.	Remuneration Committee Update	Update

Next Meeting: 10.00am – 12.30pm, 23rd May 2019
Venue: TBC

New Anglia Board Meeting Minutes (Unconfirmed) 27th February 2019

Present:

David Ellesmere (DE)	Ipswich Borough Council
Doug Field (DF)	East of England Coop
Matthew Hicks (MH)	Suffolk County Council
Steve Oliver (SO)	MLM Group
Andrew Proctor (AP)	Norfolk County Council
Johnathan Reynolds (JR)	Nautilus
David Richardson (DR)	UEA
Lindsey Rix (LR)	Aviva
Sandy Ruddock (SR)	Scarlett & Mustard
Nikos Savvas (NS)	West Suffolk College
Alan Waters (AW)	Norwich City Council
Jeanette Wheeler (JW)	Birketts

Attendees

Sarah Hamilton (SH)	NUA – for Item 3
Fiona Wright (FR)	CMS – For Items 6 and 7
Neil Prentice (NP)	Jacob Bailey – For Items 6 and 7
Roj Whitelock (RoW)	Jacob Bailey – For Items 6 and 7
Shan Lloyd (SL)	BEIS
Sue Roper (SuR)	Suffolk County Council
Vince Muspratt	Norfolk County Council
Julian Munson (JM)	New Anglia LEP - For Items 6 and 7
Lisa Roberts (LiR)	New Anglia LEP - For Item 8
Chris Starkie (CS)	New Anglia LEP
Lesley van Dijk (LvD)	New Anglia LEP - For Items 6 and 7
Rosanne Wijnberg (RW)	New Anglia LEP
Helen Wilton (HW)	New Anglia LEP

Actions from the meeting: (27.2.19)		
Minutes of the last meeting 30th January 2019 To issue the Diversity Policy to Board Members for comment.		HW
Place Branding Investigate the retention of the agency for ad hoc work on the brand. To provide the Board with an update at the March Board meeting		LvD LvD
Any Other Business The report on civic universities to be circulated to board members		HW
1	Welcome from the Chair	
Doug Field (DF) welcomed everyone to the meeting including Sarah Hamilton (SH) from NUA and thanked the University for hosting the board meeting.		
2	Apologies	
Apologies were received from William Nunn, John Griffiths, Dominic Keen and Tim Whitley		
3	Welcome from NUA	
(SH) provided the Board with an overview of the 175 history of the Norwich University of the Arts including the achievements of some of its graduates explaining that 2500 students are currently studying for a wide range of degrees and post graduate qualifications. The Ideas Factory, partly funded by the LEP, has now seen its first businesses moving through and has helped create 91 jobs to date.		
4	Declarations of Interest	
Full declarations of interest can be found at http://www.newanglia.co.uk/about-us/the-board . None		
5	Minutes of the last meeting 30th January 2019	
The minutes were accepted as a true record of the meeting held on 30 th January 2019.		
Matters arising & actions <i>LEP Board Diversity Champion - To submit comments on the LEP's Diversity Policy to DE</i> It was agreed that the Diversity Policy would be issued to Board Members for comment.		HW
<i>Amendments to Terms of Reference - To consider the voting rights of deputies at sub-committees.</i> Mills and Reeve have raised the issue of deputisation at Board meetings and a potential clash with Company Law therefore this issue is being investigated further.		
6	Place Branding - Phase 1: Brand Narrative, Values and Visual Identity	
Steve Oliver (SO) introduced the presentation on Place Branding which had been compiled by CMS and Jacob Bailey. Fiona Wright (FW) from CMS reviewed the work carried out to date since the tender was awarded in late August advising that 46 telephone interviews had been carried out with a range of business leaders and board members. Interviews had also been held at MIPIM and an online questionnaire had been used to collate views. A brand workshop was carried out in November to pull together the results of the investigations and a steering group was then created to distil the findings and produce the brand narrative.		
Neil Prentice (NP) reviewed the approach taken to the new brand which was to position Norfolk and Suffolk as offering a new approach and differentiating them from other regional brands with an emotive angle rather than keeping to the purely factual.		
Roj Whitelock (RoW) presented the brand narrative which was compiled as a result of the findings of the investigations. The team had produced a personification of Norfolk and Suffolk and identified its values as being bright, courageous, flexible and balanced. These were distilled into the brand proposition of "We are Open to You".		
A video was presented to the Board presenting brand imagery and how it can be used.		

RoW explained to the Board how the logo had been developed and the imagery which it represents highlighting balance, modernity, the space to innovate and flourish, opportunity and energy.

The meeting was presented with examples of how the logo can be used in advertising and publications.

NP noted that, by identifying Norfolk and Suffolk in this particular way, it repositioned the other brands in the market and set out the New Anglia counties as offering a completely different proposition.

SO thanked the team for their presentation and for the hard work in bringing the brand to this stage. This was endorsed by Sandy Ruddock (SR) and Jeanette Wheeler (JW).

DF asked how the brand could be protected. NP advised that they will investigate which elements can be protected and placed under copywrite.

Andrew Proctor (AP) raised concerns that the brand could be viewed as softer than other regional brands which could impact its appeal to businesses also noting that other more traditional regional brands had been very successful.

NP felt that it was difficult to beat the other brands by doing the same as them and so the new brand looked to include clear messages to businesses while differentiating Norfolk and Suffolk from the pack.

The meeting discussed what message the brand sent to businesses looking to relocate to the area. RoW stated that work was still at very high level and the next step would be to drill down and produce the key messages which would appeal to businesses.

The Board discussed the use of colour in the branding with some board members asking if the colours could be stronger in order to make more of an impact. JW reiterated that the brand development was a collaborative approach and that everyone would hold subjective opinions on such elements and the experience of the agencies who developed it were needed as a steer.

It was noted that the use of the brand had to be carefully implemented in order to consider sensitivities in key areas and that, while the initial brand was a holistic approach covering the whole of the two counties, the importance of cities would not be lost going forwards.

Overall the Board was highly supportive of the work carried out to date and expressed an interest in finding out the next stages of development.

The Board agreed:

- To note the content of the presentation
- To approve the umbrella brand as presented

7 Place Branding - Phase 1 & 2: Branding, Delivery and Timeline

Julian Munson (JM) thanked SO, SR and JW for their involvement in the development of the brand.

He also confirmed that the Department for International Trade had been involved in the work carried out so far and were supporting of the new brand.

DF asked for details of the next stage of the process for the Board.

Lesley van Dijk asked for approval to move on to the next stage of stakeholder engagement leading to the launch of the brand and the web site in July.

JW asked what work needed to be done to produce the key messages and how would this would be funded and progressed.

LvD proposed setting up a working group to include some Board members to manage this work.

DF asked for a report back including the brand toolkit and timescales

It was agreed that the Board would receive an update at the March Board.

	<p>SO asked if the agency could be retained for continuity purposes on an ad hoc basis. CS agreed that this would be logical given their involvement in the work and would review the contract accordingly. ACTION: Investigate the retention of the agency for ad hoc work on the brand.</p> <p>Chris Starkie (CS) confirmed that Norwich were developing a city brand and would ensure that this brand tied in with that and others. Johnathan Reynolds (JR) noted the importance of planning the transition from the use of The East brand into the new brand</p> <p>The Board agreed:</p> <ul style="list-style-type: none"> • To note the content of the report • To approve the timeline and implementation plan outlined in the report • To receive an update at the March Board meeting 	<p>LvD</p> <p>LvD</p>
8	Local Industrial Strategy	
	<p>Lisa Roberts (LiR) presented the paper on the Local Industrial Strategy (LIS) and reiterated that this would not replace the Economic Strategy and would provide another layer of detail focusing on the key deliverables within Norfolk and Suffolk.</p> <p>Work is underway developing an evidence base which would have a qualitative basis The meeting was advised that a workshop is being held on 5th March which will include key partners in the collaborative approach to the production of the strategy.</p> <p>LiR advised that, subject to approval, LEPs had been granted £200,000 to implement the LIS and asked the Board for approval to allocate £55,000 of the £200,000 from the 2019/20 budget to tender to consultants for the development of the LIS.</p> <p>JW asked whether this data had already been gathered as part of the part work carried out to produce the Economic Strategy. LiR advised that data was now required at a more detailed level with a focus on productivity which did not currently exist. CS advised that work would be done in house where possible with support from local authority colleagues but that funding was being provided by Government with the expectation that external support could be brought in as required.</p> <p>Alan Waters (AW) noted that the LEP needs to ensure it takes account of the wider implications that could come from its interventions in particular when looking at the Artificial Intelligence Grand Challenge.</p> <p>The Board agreed:</p> <ul style="list-style-type: none"> • To note the content of the report • To approve the allocation of £55,000 to secure external support for the development of the LIS 	
9	Norfolk and Suffolk All Energy Industry Council	
	<p>CS updated the Board on the work being carried out to strengthen key sectors which was starting with the energy sector. An initial meeting in December agreed the formation of the Norfolk and Suffolk All Energy Council to work to highlight the sector and a brochure has been produced which has been well received and has already been presented to the Energy Minister.</p> <p>CS was pleased to confirm that the LEP had submitted a bid to host the launch of the Offshore Sector Wind Sector Deal and he had been advised today what this bid had been successful and the launch would take place in Lowestoft or Gt Yarmouth on March 7th.</p> <p>The Board agreed:</p> <ul style="list-style-type: none"> • To note the content of the report 	

	<ul style="list-style-type: none"> To support the establishment of the Norfolk and Suffolk All Energy Industry Council 	
10	Brexit	
	<p>CS updated the meeting on the ongoing work of the LEP to support businesses with Brexit. The meeting discussed the challenges facing businesses and the problems caused by the uncertainty as to whether to prepare for scenarios with no deal or any particular deal.</p> <p>It was noted that some companies have yet to take any action assuming that there will be no impact upon them.</p> <p>The Board agreed:</p> <ul style="list-style-type: none"> To note the contents of the report 	
11	Private Sector Board Appointments	
	<p>DF thanked David Ellesmere (DE) and Lindsey Rix (LR) for their work interviewing the Board candidates.</p> <p>DE reviewed the process carried out and proposed the two nominations of Claire Cullens and Peter Joyner to the Board.</p> <p>The Board agreed:</p> <ul style="list-style-type: none"> To the appointment of Claire Cullens and Peter Joyner as private sector board members 	
12	Chief Executive's Report	
	<p>CS presented the paper to the Board and asked for questions from the Board.</p> <p>Capital Growth Programme Call – CS advised that 27 applications had been received and extensive work has been carried out by the LEP Team with 17 going on to the Investment Appraisal Committee (IAC) for consideration.</p> <p>David Richardson (DR) asked for an update on the Innovative Projects Fund. CS advised that 21 bids have been received for the 500k fund and approvals will be carried out by the IAC. Discussions are ongoing with local authorities as to whether this can be increased in the future using pooled business rates.</p> <p>CS advised that an announcement was being made today by BEIS on additional funding for towns and those projects which had not been successful in the recent funding calls would be considered in light of this.</p> <p>A paper will be presented to the March LEP Board.</p> <p>The Board agreed:</p> <ul style="list-style-type: none"> To note the content of the report 	
13	February Programme Performance Reports	
	<p>Rosanne Wijnberg (RW) reviewed the February reports and dashboards.</p> <p>It was highlighted to the Board that the Norwich Area Transportation Strategy project had a significant underspend but a meeting had been held which would catch up the spending the next financial year. It was highlighted RAG ratings referred to progress in the previous quarter.</p> <p>The Board was informed that indicators had been added allowing progress to be tracked against targets.</p> <p>The Board agreed:</p> <ul style="list-style-type: none"> To note the content of the reports 	
14	Finance Report	
	<p>RW reviewed the finance report and advised the Board that the 2019/20 budget will be presented at the March meeting.</p>	

<p>An Audit & Risk Committee was held in February where the new Auditors had presented their audit plan which was approved.</p> <p>The Board agreed:</p> <ul style="list-style-type: none"> To note the content of the report 	
15	Board Forward Plan
<p>CS reviewed the Forward Plan and advised that the March meeting will include the 2019/20 budget, the European Structural Strategy Plan and the LEP Delivery Plan, which will consist of a single draft plan for both Government and the Board.</p> <p>The Board agreed:</p> <ul style="list-style-type: none"> To note the content of the plan 	
16	<p>Any Other Business</p> <p>DR advised that a report had been produced on civic universities and how they can engage in local communities. One point made was that there was no strategy for such involvement and DR noted that funding was available. It was agreed that the report would be issued to Board members.</p> <p>ACTION: Report on civic universities to be circulated to board members - HW</p> <p>AW informed the Board that work has been completed on the flexible labour markets which has gone to cabinet and would be of interest to the LEP Board.</p> <p>It was agreed that this would be added to the Forward Plan.</p>

Next meeting:

Date and time of next meeting: 10.00am – 12.30pm, 27th March 2019

Venue: Birketts Solicitors, Providence House, 141-145 Princes St, Ipswich IP1 1QJ

Actions from New Anglia LEP Board Meetings

Date	Item	Action	Update	Actioned By	Status
27/02/2019	Minutes of January Board Meeting	To issue the Diversity Policy to Board Members for comment.	Circulated 6th March	HW	Complete
27/02/2019	Place Branding	Investigate the retention of the agency for ad hoc work on the brand	Agencies CMS/ Jacob Bailey have been engaged in the next stage of the project in preparation for phase 2 which includes workshops and messaging matrix. This will take place over March and April. Due to the size of the project and funding criteria we will need to tender for the next phase.	LvD	On-Going
27/02/2019	Place Branding	To provide the Board with an update at the March Board meeting	Included in the Chief Executive's Report	LvD	Complete
27/02/2019	AOB	The report on civic universities to be circulated to board members	Circulated 8th March	HW	Complete
30/01/2019	Aims and Objectives for the Year	Arrange a presentation from the Growth Hub on the support being provided to business	Added to the Board forward plan	CS	On-Going
30/01/2019	LEP Board Diversity Champion	To submit comments on the LEP's Diversity Policy to DE		ALL	On-Going
30/01/2019	Amendments to Terms of Reference	To consider the voting rights of deputies at sub-committees	A recommendation is being tabled at the March Board.	RW	Complete
23/11/2018	Infrastructure	For the LEP team to ensure that links are progressed with other sub-national transport bodies	Ongoing	EG	On-Going
23/11/2018	Finance Report	To receive a proposal on consolidated finance reporting.	The Budget proposal for 2019/20 is included in the March Board papers which includes a recommendation on reporting.	RW	Complete
21/02/2018	Ad Hoc	To receive a paper on CO2 reductions for consideration of inclusion in the economic strategy targets	Work is ongoing in conjunction with the UEA	CS/JR	On-Going

**New Anglia Local Enterprise Partnership
Board Decision Log - Public**

Date	Decision Making Body*	Decision Made
06/03/2019	Remuneration Committee	The Remuneration Committee agreed a salary increase for the Chief Executive in line with the market.
06/03/2019	Investment Appraisal Committee	<p>The IAC made the following decisions: Capital Growth Programme Call - Confidential</p> <p>Changes to Norwich Area Transport Strategy Funding To recommend to the LEP Board that the transfer of £415k from NATS A11 Corridor to NATS City Centre package should be approved. To approve the reallocation of Growth Deal funding within the NATS A11 Corridor Package; a) utilising a £395,000 underspend from the A11 Daniels Road Junction Improvement and Scheme Development toward the Wymondham to Hethersett Cycle Link. b) a further £100,000 from the A11 Daniels Road Junction for an extension to the Wymondham to Hethersett Cycle link, part of a bid toward the Transforming Cities Fund.</p>
27/02/2019	LEP Board	<p>The Board Made the following decisions: Place Branding To approve the umbrella brand as presented To approve the timeline and implementation plan Local Industrial Strategy To approve the allocation of £55,000 to secure external support for the development of the LIS Norfolk and Suffolk All Energy Industry Council To support the establishment of the Norfolk and Suffolk All Energy Industry Council Private Sector Board Appointments To the appointment of Claire Cullens and Peter Joyner as private sector board members</p>
06/02/2019	Growing Business Fund Panel	<p>The Panel approved the following applications:</p> <ul style="list-style-type: none"> • Weco Engineering Limited Approved Grant: £37,344 with conditions • Euro Workspace Limited Approved Grant: £60,000 • HW Webb Limited - Agreed to support Approved Grant: £29,700 • Silverline Office Equipment Limited - Agreed to support Approved Grant: £70,000 - awarded under <i>De Minimus</i> • Lifeline 24 Limited - Agreed to support Approved Grant - £106,000 • Events Under Canvas Limited - Agreed to support Approved Grant: £30,482 • Drurys Environmental Services Limited - Agreed to support Approved Grant: £44,000 - awarded under <i>De Minimus</i>

* New Anglia Local Enterprise Partnership Board, Investment Appraisal Committee, Growing Business Fund Panel, Remuneration Committee, Audit & Risk Committee

New Anglia Local Enterprise Partnership Board
Wednesday 27th March 2019

Agenda Item 6

Delivery Plan

Author: Rosanne Wijnberg

Summary

This paper seeks agreement for a new LEP delivery plan for 19/20. Delivery plans are a requirement of the Government's Review of LEPs.

The New Anglia LEP Delivery Plan 19/20 will meet the requirements of Government but also provide a plan which will be a useful tool for the board and wider stakeholders by providing a concise outline of the main objectives, initiatives and targets of the LEP over the coming 12 months.

The draft Delivery Plan can be found as a PDF document issued with the March Board papers.

Recommendation

The LEP Board is asked to approve the Delivery Plan and delegate to the LEP chief executive authority to make minor changes necessary ahead of publication in May.

Background

One of the key actions from the Government's Review of LEPs is the requirement of all LEPs to produce a Delivery Plan.

The delivery plans will complement the annual reviews which LEPs are also required to produce starting in the 19/20 financial year. We published our first annual review a year ahead of that deadline – last autumn for the 18/19 financial year.

The Government working with the LEP Network has produced guidance on what information is required in the new delivery plan - the Delivery Plan Matrix - to ensure a level of consistency across the LEP network.

The Delivery Plan must be completed by the end of April 2019 (in draft) and published on our website by the end of May 2019. Given that we do not have a LEP Board meeting scheduled in April, we are seeking approval for the approach we have taken and the narrative, so that we may proceed with the design elements of the Delivery Plan.

The advice we have been given indicates that the Delivery Plans for 2019/20 are designed to be light touch and that the format is likely to be revisited next year to take account of the LEP economic outlook and the development of Local Industrial Strategies.

Our Approach

The production of a Delivery Plan is a Government requirement. However it is also a useful tool for the board and wider stakeholders to outline the LEP's key objectives for the year.

Our plan is to produce a document which satisfies the Government's requirements, but is also a useful document for the board and wider stakeholders, by providing a concise outline of the main objectives, initiatives and targets of the LEP over the coming 12 months.

The delivery plan will build on the four delivery priorities agreed by the board at its January meeting. These are:

1. Deliver our Economic Strategy and publish our new Local Industrial Strategy
2. Promote our Place
3. Strengthen our governance
4. Drive local growth

The Delivery Plan outlines how we will be deliver on our mission, priorities and outputs from April 2019 to March 2020.

It covers our key strategic initiatives for the year, our partnership work and the full range of the programmes directly delivered by the LEP from the Growth Deal and Enterprise Zones to programmes such as Growing Places Fund and Growing Business Fund.

Accompanying the Delivery Plan is the 19/20 Operational Budget – agenda item 7.

Recommendation

The LEP Board is asked to approve the Delivery Plan and delegate to the LEP chief executive authority to make minor changes necessary ahead of publication in May.

New Anglia Local Enterprise Partnership Board
Wednesday 27th March 2019

Agenda Item 7

2019/20 Budget

Author: Rosanne Wijnberg

Summary

This paper provides a summary of the operating budget for the LEP for 2019/20 financial year.

The budget sees an increase in operating income of 48% and expenditure of around 51% compared with 18/19. This reflects the LEP's additional responsibilities including the Enterprise Adviser Network and the inclusion of the revenue projects budget in the operating budget.

Recommendation

The board is asked to approve the operating budget for 2019/20.

Background

The LEP's operating budget covers the costs of running the LEP and funding allocated for revenue projects.

The overall budget is sub-divided into two areas, core and programmes, reflecting the structure of the LEP.

Core covers the work of the LEP including:

Developing and delivering the economic strategy.

Engagement with central Government and national agencies.

Engagement with our local authority partners, education partners, with business and the voluntary sector.

Governance and management of the LEP

Management of our sector groups

Innovation and Inward investment

Support for partnership initiatives such as Cambridge Norwich Tech Corridor, Ipswich Vision and the Opportunity Areas.

Programmes covers programmes and projects delivered or managed by the LEP including:

Growth Deal

Growth Programme

Enterprise Zones

Growing Business Fund

Growing Places Fund

Enterprise Adviser Network

New Anglia Capital

Budget breakdown

Details of the 19/20 budget can be found at Appendix 1 – with a comparison to 18/19.

Income

Core funding - £948,000 (LY £748,000). We received a two-year settlement from Government covering 18/19 and 19/20, with a requirement for matched contributions of £250k from local authorities. As such, this element of our income is in line with last year at £748k. In addition to this settlement, we have received a further £200k of funding to support the development of our Local Industrial Strategy.

Growth Deal Fund interest - £172,500. The Growth Deal Fund interest assumption is held in line with last year at £160k.

Growth Deal Delivery income - £1,394,084. This is a set portion taken from our Growth Deal allocation to support delivery of the programmes in accordance with our agreement with our accountable body.

Revenue Project fund - £250,000. This income comes from Growth Deal interest earned in prior years.

ERDF funding - £256,677. Income from our Growth Programme project to support the costs of managing the programme.

BEIS funding - £288,000. As last year, funding to support delivery of the Growth Hub. Like core funding, Government has confirmed two years of funding.

Partnership funding - £319,383. This income line covers posts the LEP is hosting, and is receiving income to support on a full cost recovery basis. These are the Norwich Opportunity Area (2), Cambridge Norwich Tech Corridor, New Anglia Capital and Ipswich Vision. The increase reflects the growth in these teams, in particular the CNTC.

Other funding – £404,893. This income is new and covers the costs of supporting the Enterprise Adviser Network (8 team members) and is funding received from the Careers and Enterprise Company.

Enterprise Zone - £734,906. Pot B income covers the costs we incur for managing the Enterprise Zones. The Pot C income of £500k supports the Innovative Project Fund.

Expenditure

The expenditure lines with material increases are described in more detail below.

Salaries - £2,860,258. The salaries budget has increased on 18/19, to support additional resource in the following areas:

- Enterprise Adviser Network (seven posts plus Careers Hub manager)
- Cambridge Norwich Tech Corridor (three posts)
- Norwich Opportunity Area (three posts)

Consultancy - £83,200. Increase to cover the costs associated with LIS consultancy.

Travel, motor and stakeholder engagement - £136,726. This increase reflects the increase in headcount and the nature of our accountabilities e.g. EAN travel to schools.

Computer, telephone and printing - £129,439. Increase to reflect the increase in staff numbers and the additional accountabilities.

Projects delivery - £352,000. This now includes support for three sector packages.

Innovative Projects Fund - £500,000.

Operating surplus

The overall impact means that we are budgeting for an operating surplus for 19/20 of £105,170. This is a slight reduction compared with 18/19.

Supporting Tables

To accompany the budget, a number of financial trend tables are attached – Appendix 2.

Capital Budget

The LEP's capital budget forms the final part of our overall budget for the year. This covers our planned expenditure through the Growth Deal programme, as well as Growing Business Fund and Growing Places Fund.

This will be presented to the LEP Board in May. Expenditure for the current financial year is being finalised during the final two weeks of March, which will have an impact on the expenditure plans for 2019/20.

Finance Reporting

In previous years we have reported performance monthly against the Core Budget.

Our proposal is that for the 19/20 financial year we amend the reporting, as follows:

- Report the consolidated accounts, showing both Core and Programmes, a quarterly reporting cycle

We will no longer report the core accounts on a monthly basis, but will include a paragraph in the Chief Executives report providing a summary position and noting any material items.

Recommendation

The board is asked to

- Approve the operating budget for 2019/20
- Approve the proposal on financial reporting (consolidated accounts, quarterly)

Appendix 1

Draft Budget 19/20

Appendix 2

Key financial trends

Appendix 1

New Anglia LEP Operating Budget 2019/20 - Draft

New Anglia LEP Income	
Government Core Funding	500,000
County Council Funding	150,000
Local Authority Funding	98,000
Government LIS Funding	200,000
Total Authority Funding	948,000
Project Loan Interest	12,500
Growth Deal Fund Interest	160,000
Total Interest	172,500
Growth Deal Delivery Income [GD1, 2 &3]	1,394,084
Revenue Project Fund	250,000
ERDF Funding	256,677
BEIS Funding	288,000
Partnership Funding (NAC/IV/NOA/CNTC)	319,383
Other funding (EAN)	404,893
Total Other Income	2,913,038
Enterprise Zone - Pot B	172,406
Enterprise Zone - Pot C	500,000
Enterprise Zone Accelerator income	62,500
Total Enterprise Zone income	734,906

2018/19 Totals
500,000
150,000
98,000
-
748,000
-
160,000
160,000
1,542,000
-
155,000
287,000
151,000
-
2,135,000
172,000
-
-
172,000

Core	Programmes
500,000	
150,000	
98,000	
200,000	
	12,500
	160,000
605,000	789,084
	250,000
	256,677
	288,000
319,383	
	404,893
	172,406
	500,000
31,250	31,250

Total New Anglia LEP Income	4,768,445
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3,215,000

1,903,633	2,864,811
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New Anglia LEP Costs	
Salaries	2,860,258
Consultancy	83,200
Rent & Establishment	70,500
Conference & room hire	15,600
Travel, motor & stakeholder engagement	136,726
Computer, telephone & printing	129,439
Projects delivery	352,000
Innovative Project Fund	500,000
PR, Marketing & Events, Web	149,263
Legal & professional fees	88,800
Maintenance & leasing	17,250
Corporation Tax (incl bank charges)	80,000
General Expenses (incl training, subs)	42,850
Depreciation	20,900
Irrecoverable VAT	116,489
Total New Anglia LEP Costs	4,663,275

2018/19 Totals
2,088,000
66,000
71,000
16,000
88,000
85,000
280,000
-
121,000
77,000
16,000
38,000
25,000
17,000
91,864
3,079,864

LEP operating costs	Programme delivery costs - incl SCC
1,411,226	1,449,032
54,200	29,000
63,650	6,850
10,000	5,600
74,200	62,526
68,680	60,759
-	352,000
-	500,000
70,550	78,713
16,300	72,500
16,950	300
-	80,000
22,450	20,400
20,900	-
64,384	52,105
1,893,490	2,769,785

Operating surplus	105,170
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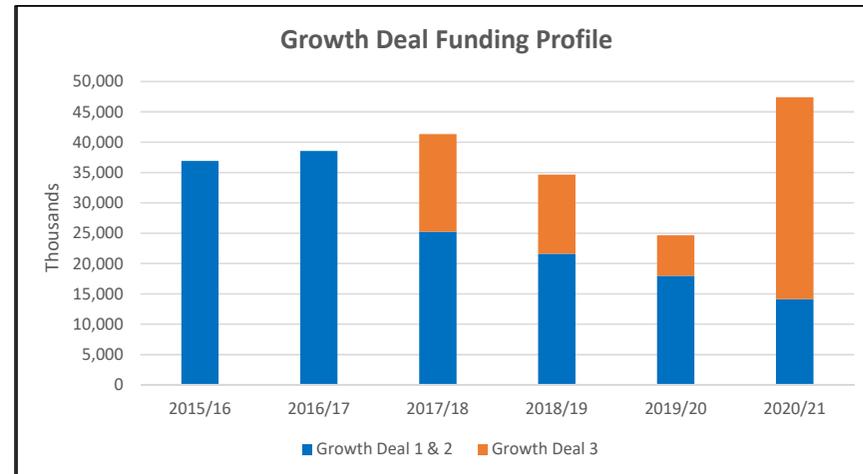
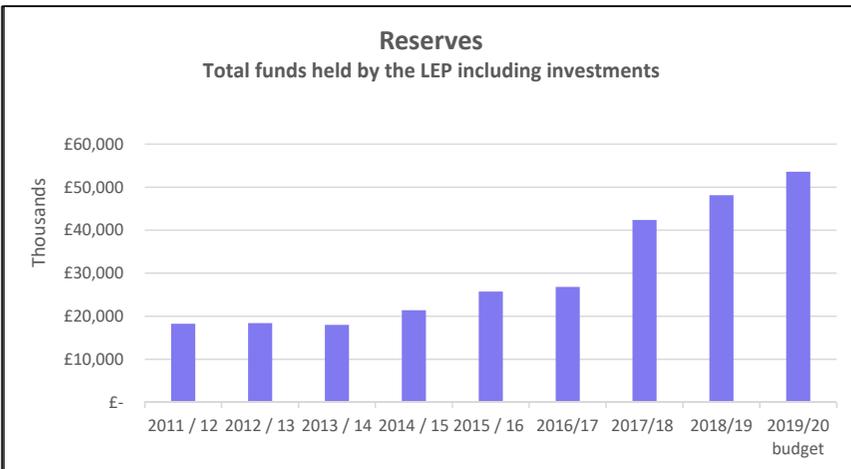
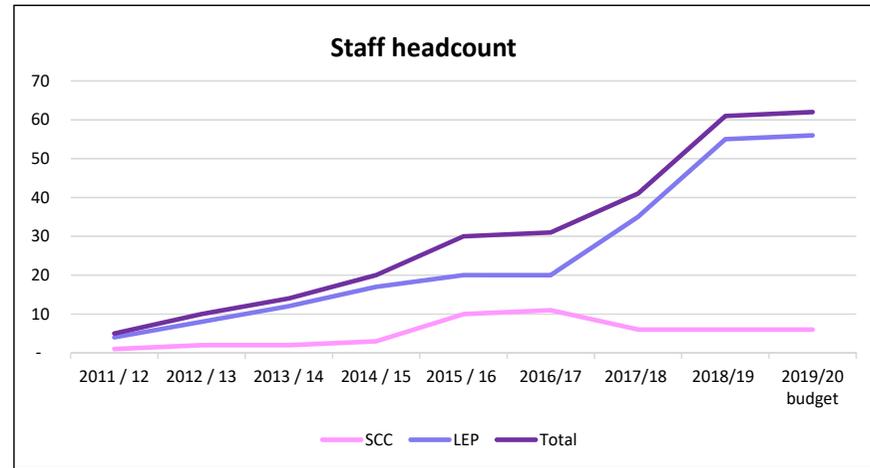
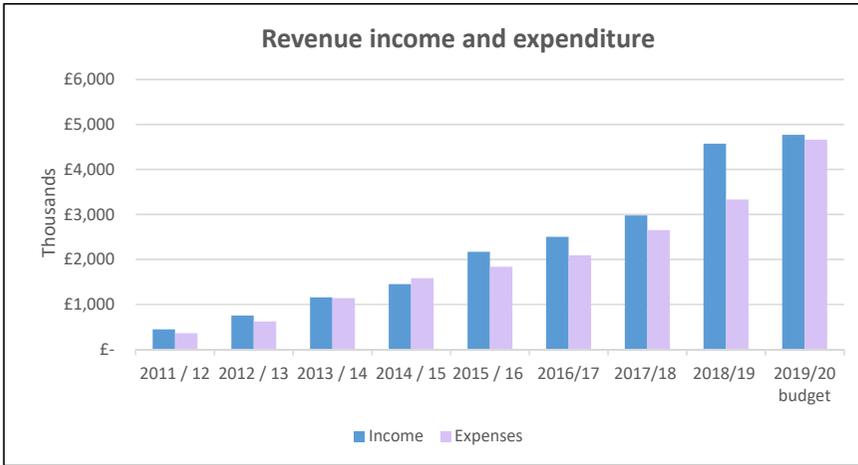
135,136

10,143	95,027
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Operating margin	2.2%	4.2%
Staff cost as % of revenue income	60.0%	64.9%
Staff costs as % of capital & revenue funding	10.2%	5.5%

Appendix 2

New Anglia LEP financial trends



New Anglia Local Enterprise Partnership Board
Wednesday 27th March 2019

Agenda Item 8

Brexit

Author: James Allen Presenter: Chris Starkie

Summary

The report provides an update on the LEP's latest activities to support businesses through Brexit and provide Government with intelligence, as well as updates from local authorities' activities.

Recommendation

The Board is asked to note the contents of the report and take a view on the proposal regarding Brexit-related events in each district.

Background

The LEP Board has been updated monthly on the following agreed actions related to Brexit:

1. Assisting businesses through Brexit by ensuring government understands the opportunities and challenges faced by businesses across Norfolk and Suffolk.
2. Providing those businesses with useful information regarding how they can prepare for Brexit and what they can be doing to Brexit-proof their business for the coming years.
3. Lobbying for the future funding landscape to be fit for purpose post-Brexit.
4. Ensuring that LEP programmes react to the opportunities and challenges posed by Brexit.

Providing businesses with useful information

The LEP is proposing to organise events across each district to support businesses in their preparations for Brexit, working closely with the Growth Hub.

The latest advice from Government remains to prepare for a no-deal Brexit. However, recent votes have called for an extension of the Brexit negotiations to 30th June in the event that the Prime Minister's deal is approved ahead of the upcoming EU Summit. If this deal is rejected, any extension would have to be longer and would involve the UK participating in the May European Parliament elections. The Prime Minister will now have to formally request this extension from the EU, with EU Member States having the final say on the delay.

Over the course of the past month, Government departments have produced sectoral advice (covering automotive; aerospace; construction; oil and gas production; retail; space; professional and business services; chemicals; electronics, machinery and parts; electricity;

gas markets; further education and apprenticeship providers; food and drink; farming; and the voluntary and community sector) which have been signposted to businesses through social media and the LEP's Brexit webpage.

The LEP has been in regular contact with DCMS regarding data protection and the latest guidance is on the LEP's webpage. DCMS have kindly offered to support business intermediaries with representation at events on this subject, so the LEP has coordinated introductions to support this. In addition, through various DEFRA roundtables held in London the LEP has sought guidance and set out case studies from Norfolk and Suffolk.

Better Business for All (BBfA) brings together businesses and regulators in local partnerships to identify the issues facing local businesses and provide support to them. Through the local scheme in our region, BBfA has ensured that regulators are signposting businesses to the LEP website in their vast and regular interactions with business. The latest local meeting will take place on 25th March where regulators will be updated on the LEP's Brexit related activity and the relevant guidance available for businesses.

Ensuring Government understands the opportunities and challenges

The weekly Brexit intelligence from the LEP and Growth Hub is fed in to Government through the Department for Business, Energy and Industrial Strategy, regional MPs and is also picked up through the East of England Local Government Association's submission.

The LEP and Growth Hub have seen the number of negative case studies increase in recent weeks as we continue to provide this intelligence in to Government. A couple of recent examples based on a no-deal Brexit include:

- Sanofi's decision to transfer a secondary part of its operations to the EU due to the potential layers of safeguarding bureaucracy and regulatory approval headaches.
- The Zoological Society of East Anglia have expressed concerns around the costs involved in the transportation of rare animals and the impacts on animal welfare.
- In various meetings, the LEP executive have picked up increasing appetite from companies in the region for stockpiling in warehousing facilities due to a no-deal Brexit.

Updates from local authorities

The Suffolk Brexit task group met most recently on 4th March and the main update covered the news that Suffolk will pool the money given to districts and county council for Brexit preparations and will be used to fund Brexit business advisor posts to support businesses across Suffolk. The LEP is working with the task group to support this ambition.

Norfolk's Brexit Sounding Board has regular contact with businesses across the county (from all sizes and sectors) and concerns have been expressed largely linked to continued uncertainty around the actual outcome and the effect it will have, adding that there is a limit to the amount of contingency planning or mitigation measures they can implement.

Both counties are working through their senior management teams and the Local Resilience Fora (Norfolk LRF and Suffolk LRF) to ensure risks to services are identified and mitigated.

The East of England Local Government Association has cut funding for the Brussels office.

EU Settlement Scheme

For individuals that do not have the appropriate access, skills or confidence to complete the form, assisted digital support has been set up. Government requires individuals to contact their central advice line first to be triaged through that, before attending listed centres across the UK. Beccles, Lowestoft and Woodbridge are three of the listed centres in the UK.

Recommendation

The Board is asked to note the contents of the report and take a view on the proposal regarding Brexit-related events in each district.

New Anglia Local Enterprise Partnership Board
Wednesday 27th March 2019

Agenda Item 10

New Anglia LEP Governance: Local Assurance Framework, Accountable Body Agreement, Scheme of Delegation

Author and Presenter: Rosanne Wijnberg

Summary

The LEP's Assurance Framework, Scheme of Delegation and Accountable Body Agreement with Suffolk County Council have all been updated, to ensure they are in line with newly published Government guidance and that all the information contained in them is accurate and up to date.

Recommendation

The Board is recommended to approve and adopt the:

- 2019 Local Assurance Framework,
- Scheme of Delegation,
- Accountable Body Agreement.

Background

New Anglia LEP's **2019 Local Assurance Framework** follows the mandatory requirements and additional best practice guidance set out in the Government's National Local Growth Assurance Framework, which seeks to provide a common framework of understanding of the assurance required for local growth funding.

The National Local Growth Assurance Framework explains how places should appraise, monitor and evaluate schemes to achieve value for money. It provides Government, stakeholders and the public the necessary assurances that LEPs have the policies and processes in place to ensure the robust stewardship of public funds. It contains mandatory governance, accountability and transparency requirements and non-mandatory best practice.

New Anglia LEP's **Scheme of Delegation** sets out the main responsibilities and functions of the organisation and the level to which they have been delegated. It is a requirement of the National Local Growth Assurance Framework for the LEP to have a comprehensive Scheme of Delegation which is reviewed and updated annually.

The **Accountable Body Agreement** is a key element of the LEP's Governance arrangements, alongside the Articles of Association, the Assurance Framework and Scheme of Delegation. It sets out the respective roles of the LEP and Suffolk County Council as the Accountable Body.

Key Considerations

The 2019 Assurance Framework can be viewed [here](#) together with the completed National Local Growth Assurance Framework checklist [here](#) which provides page references to indicate where each requirement is covered in the LEP Framework. The checklist also indicates where required documents have been made available on the LEP website.

The main revisions are programme updates and more detailed explanations of existing procedures, rather than changes in policy or process. That is because the LEP's processes were already broadly compliant with the National Growth Assurance Framework.

The updated Scheme of Delegation is included as Appendix 1 to this paper, with the proposed minor revisions highlighted.

The updated Accountable Body Agreement can be viewed [here](#). The revisions bring programme information up to date and bring the Agreement in line with the Assurance Framework guidance.

Monitoring Compliance

The National Local Growth Assurance Framework checklist will provide the basis for our compliance monitoring arrangements.

An owner will be assigned to each area and will be accountable for compliance. This will be monitored on a quarterly basis and reported to the Audit and Risk Committee.

Any updates to the documents required for example by Government policy changes or the introduction of new programmes will be reported to the LEP board for consideration.

Next Steps

The approved documents will be loaded on the LEP website, and the next annual review will be scheduled for March 2020.

Recommendation

The Board is recommended to approve and adopt the:

- 2019 Local Assurance Framework,
- Scheme of Delegation,
- Accountable Body Agreement

Appendix 1

Proposed amendments are underlined



New Anglia LEP Scheme of Delegation

Context

The New Anglia Local Enterprise Partnership is company limited by guarantee, with 16 voluntary directors, supported by a full-time executive team.

This scheme of delegation sets out the main responsibilities and functions of the organisation and the level to which they have been delegated.

The scheme of delegation is part of a suite of LEP governance documents including:

Local Assurance Framework, Articles of Association, terms of reference for sub-boards and sub-committees, and agreement between Suffolk County Council (accountable body) and the LEP.

The scheme of delegation is reviewed annually and changes require board approval. Any decision taken in contravention of this scheme of delegation will be deemed invalid.

Key responsibilities of the LEP Board

The board is responsible for:

- Approving the strategic direction of the LEP
- Agreeing clear objectives to focus activity and drive ambition
- Ensuring the LEP runs efficiently and effectively with appropriate controls in place covering performance, finance and risk
- Upholding the values, ethos and culture of the organisation

Key responsibilities of the Accountable Body

- The Section 151 Officer or their appointed deputy is a core member of the Audit and Risk Committee.
- The Section 151 Officer is accountable for approving all Growth Deal grant agreements, and delegates authority to a suitable team member for approval of grants awarded under other LEP programmes.

Scheme of Delegation

Issue

Delegated To

Strategy

Vision, mission and values	Board
Development and approval of Economic strategy	Board
Implementation of Economic strategy	Economic Strategy Delivery Coordination Board recommendations to main Board
Changes to the overall operating structure of the LEP	Board
Approval of the Organisation brand	Board

Programmes

Design of capital and revenue funding programmes	Board (on recommendations from Investment Appraisal Committee and relevant sub-boards)
Awarding of capital or revenue funding to programmes £500k	Board (on recommendations above from IAC)
Awarding of capital or revenue funding to programmes £500k or below	IAC
Awards from Growing Business Fund up to £500k	GBF panel (overseen by the IAC)
In programme funding changes above £100,000	Board
In programme funding changes up to £100,000	IAC
Change requests from programmes/projects with no financial implications but major changes to outputs or timeline	IAC
Change requests from programmes/projects with no financial implications but minor changes to outputs or timeline	CEO – reported retrospectively to the Board quarterly

Governance

Responsibility for compliance with Government National Assurance Framework	Chair and CEO
Annual declaration of compliance to Government	Board
Maintenance of Register of Interests	Suffolk County Council 151 Officer Board and CEO

Timely publication of agendas, reports and minutes	Chair, CEO and COO
Committee and Delivery Board appointments	Board
Code of conduct, Complaints and Whistleblowing policies	Board

Finance

Approval of financial budgets and forecasts	Board
Approval of annual accounts and financial statement and audit letter of representation	Board on recommendation from Audit and Risk Committee
Approval of bank account and mandate policy	Board on recommendation of Audit and Risk Committee
Treasury policy	Board on recommendation of Audit and Risk Committee
Bank investments execution	Audit and Risk committee
Prior authorised expenditure for day to day business, in accordance with strategy budget and approved policies:	
Over £150,000	Board
Between £50,000 and £150,000	Chair and CEO or COO
Up to £50,000	CEO and COO or financial controller

Human Resources

Performance management and remuneration of CEO	Chair and Remuneration Committee
Remuneration of Chief Operating Officer	Chair and Remuneration Committee
Recruitment of board members	Board (with recommendations from sub panel comprising board members)
Recruitment of CEO	Board (with recommendations from sub panel comprising board members)
Operational procedures and policies for Leadership team and below	COO in conjunction with CEO and Leadership team

Last Updated: 23rd March 2018 as per amendments agreed at the LEP Board on 21 March 2018

New Anglia Local Enterprise Partnership Board
Wednesday 27th March 2019

Agenda Item 11

European Investment Strategy Update

Author: Emma Taylor Presenter: Chris Starkie

Summary

This report introduces an Update for the European Investment Strategy which underpins the strategic allocation of the £86.43m European Structural and Investment (ESIF) funding allocated to the New Anglia LEP area under the European Regional Development Fund (ERDF), European Social Fund (ESF) and the European Agricultural Fund for Rural Development (EAFRD), explaining the purpose of the document, and the key themes covered.

Recommendation

The Board is asked to approve the contents of the [European Investment Strategy Update](#) and recommend its adoption to the New Anglia ESIF Committee, which is a Committee of the National Growth Programme (ESIF) Board.

Background

Responsibility for the administration of the £86.43m European Structural and Investment Funds notionally allocated in New Anglia is with the three relevant Government departments – the Ministry for Housing Communities and Local Government, the Department for Work and Pensions and the Department for Food and Rural Affairs.

The ESIF funds are also known as the Growth Programme and there is a National Growth Programme Board which sets the strategic direction of the Programme, assisted in each LEP area by an ESIF Committee comprising members from across the public, private and voluntary sectors in the area and from the LEP. For New Anglia, the ESIF Committee Chair is Richard Powell OBE, who also sits on the national Growth Programme Board.

The ESIF sub-Committee is responsible for the development and adoption of a European Investment Strategy which provides the strategic basis for their assessment of the strategic fit of applications. New Anglia LEP, in collaboration with EU funding colleagues in Norfolk and Suffolk County Councils, draft the Strategy for approval.

The existing European Investment Strategy for the 2014-20 Programme period was last updated in April 2016 and while it provides a useful background on the establishment of the Programme and the ESIF Committee, it is out of date. This Strategy Update summarises Programme progress to date and aligns the strategic Programme requirements with the Norfolk and Suffolk Economic Strategy.

Key Considerations

The Strategy Update provides a snapshot of Programme performance as provided by each of the Managing Authorities.

Under each Programme, the Programme priorities section aligns Norfolk and Suffolk Economic Strategy high level objectives with European Programme priorities.

The pipeline of projects in New Anglia is strong across these Programmes and we are in a good position to commit almost all of the £86m allocation to New Anglia.

The LEP is therefore in a strong position to put forward projects when national calls are issued later in 2019 with underspends from other LEP areas. The European Investment Strategy Update will support that process, showing how future projects could help deliver our Economic Strategy. It is also a useful tool for existing projects to evaluate their delivery against the Economic Strategy objectives, now these have been aligned with ERDF priorities.

The Board is asked to suggest any further steer that might be given to potential applicants, and to offer their approval in principle of the Strategy Update, prior to consideration by the ESIF Committee which meets to approve the Strategy Update on 28 March.

Link to the Economic Strategy and Local Industrial Strategy

The Strategic Context and Programme Priorities sections of the Strategy Update link ESIF Programme priorities with the relevant Economic Strategy high level objectives and explain how future projects are expected to deliver against these objectives. The link with the Local Industrial Strategy and its Foundations of Productivity is also explored.

Next Steps

Any comments or suggestions from the LEP Board will be noted and reported to the ESIF Committee at their meeting on 28 March for consideration. The ESIF Committee approves the document with any amendments and submits it to MHCLG to sign off.

Recommendation

The Board is asked to approve the contents of the European Investment Strategy Update and recommend its adoption to the New Anglia ESIF Committee, which is a sub-Committee of the National Growth Programme (ESIF) Board.

Appendix 1

Summary of content of the European Investment Strategy Update.

Appendix 1

European Investment Strategy summary of content

The European Investment Strategy Update draws the links between European programme priorities, Norfolk and Suffolk Economic Strategy ambitions, priority themes and indicators, and the Five Foundations of Productivity identified in the Industrial Strategy.

Industrial Strategy Foundations of Productivity	Norfolk and Suffolk Economic Strategy Priority Themes	European Investment Strategy Programme Priorities
<p>Ideas</p> <p>The world's most innovative economy</p>	 <p>Competitive Clusters close to Global Centres</p>  <p>Collaborating to Grow</p>	<p>ERDF Priority 1 innovation</p> <p>ERDF priority 4 Low Carbon Economy</p>
<p>People</p> <p>Good jobs and greater earning power for all</p>	 <p>Driving Inclusion and Skills</p>	<p>ESF Priority 1 and 2 Inclusive Labour Markets and Skills for Growth</p> <p>ERDF all priorities</p> <p>EAFRD – investment leading to the creation of quality jobs</p>
<p>Infrastructure</p> <p>A major upgrade to the UK's infrastructure</p>	<p>Targeted infrastructure development supports delivery of all priority themes</p>	<p>ESIF Programmes do not generally invest in infrastructure. However, ESIF investment can be aligned with infrastructure initiatives e.g. through Growth Deal.</p>
<p>Business environment</p> <p>The best place to start and grow a business</p>	 <p>Our Offer to the World</p>  <p>Driving Business Growth and Productivity</p>	<p>ERDF Priority 3 SME competitiveness</p>
<p>Places</p> <p>Prosperous communities across the UK</p>	<p>Relevant to all priority themes and places</p>	<p>Interventions across all Programmes need to deliver against local needs and strategies</p>

The Strategy Update also provides headline figures of programme progress to date with an annex which provides case studies of Programme delivery. Key figures for the ERDF and ESF Programmes to date are as follows:

European Regional Development Fund Headline achievements in New Anglia since 2015	
£26m contracted in 13 projects, almost 60% of the programme total, with a further £10m in the application process	Over 4,800 businesses due to receive support, double the programme target of 2,408.
Target for businesses supported almost 82% achieved already with more than 1,967 businesses supported with specialist advice and/or grants.	More than 275 businesses have received direct grants from ERDF-funded Programmes, 21% of the target.
38 new to the market products developed thanks to ERDF funding, over 63% of the target of 60.	608 start-ups have been supported to establish and grow, 91% of the 664 target.
771 jobs created as a result of ERDF investment in businesses, 119% of the target of 647 jobs.	2370 businesses receiving specialist information and diagnostics , almost 20 times exceeding the target of 119.

European Social Fund Headline achievements in New Anglia since 2015		
£31m contracted with 17 projects	Over 14,522 individuals due to receive employability or training support	30% of unemployed participants receiving employability support predicted to find work as a result

European Agricultural Fund for Rural Development Headline figures to end 2018		
Programme fully committed with over £13m awarded to projects or in the application process	16 food processing projects approved or contracted including 4 projects with around £1m investment	27 business development projects including investment in tourism, brewing and rapeseed oil production

The Programmes section in the Strategy Update set out the following elements for each of the three ESIF Programmes:

- **Key Programme priorities** linked to the Norfolk and Suffolk Economic Strategy including success to date in Strategy delivery.
- **Programme-specific information about Calls** for projects or ESIF targets
- **Aspirations for programme delivery** set against Norfolk and Suffolk Economic Strategy high level objectives
- **National and local objectives** against each priority within each programme and New Anglia LEP official targets for those objectives.

New Anglia Local Enterprise Partnership Board
Wednesday 27th March 2019

Agenda Item 12

Governance: Revised Articles of Association and process for adoption

Author and Presenter: Rosanne Wijnberg

Summary

As part of the implementation of the requirements of the LEP Review, the LEP Board approved several changes to the governance arrangements of New Anglia LEP.

This paper summarises those agreements and confirms the process for the formal adoption of the changes and the amended Articles of Association.

As part of the process of updating the Articles of Association, it was identified that further consideration needed to be given to the approach currently being taken on substitution at meetings. This paper outlines the options considered and provides recommendations.

Recommendation

The LEP Board is asked to approve the following:

1. The Articles of Association of New Anglia Local Enterprise Partnership Limited, amended to reflect the agreed changes to the LEP Board as a result of the LEP Review. (A)
2. The written resolution to be sent to the LEP's members to approve the adoption of the new articles. (B)
3. The class consents for each of the three classes of members, consenting to the variation of their class rights through the adoption of the new Articles of Association. (C)
4. The letter to the company's auditors informing them of the proposed written resolution. (D)
5. The recommendation that we retain the clause we have in our Articles of Association with regard to Alternate Directors; the current clause does not permit the appointment of alternates.
6. The recommendation that directors be permitted to appoint an observer at directors' meetings, in accordance with an annually reviewed Policy. (E)
7. The recommendation that no substitutes be permitted at Committee level.
8. The recommendation that we amend the Articles of Association to confirm the term of appointment of the Chair as three years.

Background

As part of the implementation of the requirements of the LEP Review, the LEP Board approved several changes to the governance arrangements of New Anglia LEP.

This paper summarises those agreements and confirms the process for the formal adoption of the changes.

At the meetings held over the period October 2018 to January 2019 the LEP Board approved the following:

- The appointment of two additional private sector Board members / directors
- The recommendation to classify education members as a subset of the private sector, in line with government guidelines
- To amend the quorum to reflect the increase in the number of LEP Board directors and the revised classifications – the revised quorum being a total of 9 directors present; of which 6 must be private and education sector directors, and 3 must be public sector directors.

Alternate Directors and Observers

As part of the process of updating the Articles of Association, it was identified that further consideration needed to be given to the approach currently being taken on substitution at meetings.

External advice was sought, and the following options considered:

- No alternate directors permitted
- Allowing the appointment of alternate directors
- Observers at directors' meetings

1. No alternate directors

Our existing Articles of Association do not permit the appointment of alternate directors; this approach aligns with the private company Model Articles.

A director has no statutory right to appoint an alternate to act in their place but instead such a power may be conferred by the company's articles of association.

2. Allowing the appointment of alternate directors

A director has no statutory right to appoint an alternate to act in their place.

However, Private companies may choose to incorporate an adapted form of the public company Model Articles dealing with the appointment of alternate directors into their articles.

The appointment of an alternate director raises a number of potential issues from a corporate governance perspective.

Alternate directors are not treated as being agents of their appointers, but are deemed, during their appointment, to be acting as a director for all purposes and to be subject to the statutory duties and responsibilities of a director at law.

As the directors' decision-making process can often extend over a number of meetings, it is unlikely that an alternate appointed to act on a short-term basis would have sufficient information or involvement in the running of the company to be able to fully discharge these statutory duties in relation to any meeting that they attended.

On a more practical level, and irrespective of the temporary nature of such an appointment, there is still a requirement to comply with the usual statutory requirements in the Companies Act in relation to the appointment of a director.

This means that an alternate director will need to formally consent to their appointment as an alternate (usually in writing), and the appointment and removal of the alternate director should be recorded in the company's register of directors and at Companies House within 14 days of appointment or removal.

In addition, where the directors permit the appointment of an alternate, the existing directors must ensure that the alternate:

- is willing to act as the alternate of the appointing director (and this is recorded in writing), and
- is fully aware of their rights and responsibilities as a director of the company.

Furthermore, the directors of the company may wish to approve the identity of any non-director being appointed as an alternate prior to any appointment taking effect.

3. Observers at directors' meetings

It is possible to allow directors of the company the ability to appoint an observer.

The observer will usually be entitled to attend all board meetings and to take part in general discussions but is not appointed as a director (and therefore unable to vote or be part of the quorum) so as to avoid being subject to directors' duties.

However, depending on the level of input that an observer has into the directors' meetings, there is a risk that any observer may be treated as a "shadow director" i.e. an individual not formally appointed as a director, but who is capable of giving directions or instructions to the company or its directors.

Shadow directors will be subject to many of the requirements of the Companies Act, including the general statutory duties owed by directors and the obligation to be registered on the company's register of members and at Companies House, despite their lack of formal status. It is therefore essential that, if observers are permitted, there is a very clear demarcation of the role of the observers to avoid any shadow directorships arising.

More widely, there is also a risk that a move towards more "open" meetings could undermine the confidentiality of the directors' proceedings, given that any observers will not owe any duty to the company or its directors to keep the information that they receive confidential.

A policy could be adopted to allow for observers at directors' meetings, and this could be reviewed on an annual basis. A decision to adopt a policy of this nature would not need to be incorporated into the Articles of Association.

Recommendation:

Having considered the options and the practical implications of each, the LEP Board is asked to approve the recommendation:

- That we retain the clause we have in our existing Articles of Association regarding the appointment of Alternate Directors – no alternate directors permitted.
- That directors be permitted to appoint an observer, in accordance with an annually reviewed Policy (Appendix E)

Committee level substitution

In order to ensure consistency and continuity at committee level, the LEP Board is asked to agree the recommendation that we do not permit substitutes at Committees.

Terms of appointment of the Chair

The terms of the LEP Chair is not currently defined in the Articles of Association. The LEP Board is asked to approve the recommendation that the Articles of Association be amended to confirm the term of appointment of the Chair as being three years, irrespective of the term already served as a private sector director.

Recommendation:

That we amend the Articles of Association to confirm the term of appointment of the Chair as three years.

Process for formal adoption of the revised Articles of Association

The key steps and documentation required to support the formal adoption of the revised Articles of Association are outlined below:

Articles of Association (Appendix A):

The revised Articles of Association, with the proposed changes tracked, previously agreed in principle, are attached for your final approval. They will be circulated to all members for agreement.

Written Resolution (Appendix B):

The written resolution attached will allow the company's members to give their approval to the adoption of the new articles. The written resolution attached will be circulated to all members and will pass as soon as a sufficient majority (75%) have indicated their assent to the resolution.

Class Consent (Appendix C):

The amendments to the articles will involve a variation to rights of the individual classes of members. As such, each class of members will also need to signify their approval of the proposed changes by 75% majority of each class.

Letter to Auditors (Appendix D):

A letter will be sent to the auditors, Price Bailey, advising them of the proposed written resolution. The LEP Board is asked to note the attached pro-forma covering letter.

Companies House filings:

Once the written resolution and class consents have been passed by the requisite majority of members, the new articles will be adopted as the articles of association of the company. A signed copy of the written resolution, together with a copy of the new Articles of Association, will be filed at Companies House.

Recommendation

The LEP Board is asked to approve the following:

1. The Articles of Association of New Anglia Local Enterprise Partnership Limited, amended to reflect the agreed changes to the LEP Board as a result of the LEP Review. (A)
2. The written resolution to be sent to the LEP's members to approve the adoption of the new articles. (B)

3. The class consents for each of the three classes of members, consenting to the variation of their class rights through the adoption of the new Articles of Association. (C)
4. The letter to the company's auditors informing them of the proposed written resolution. (D)
5. The recommendation that we retain the clause we have in our Articles of Association with regard to Alternate Directors; the current clause does not permit the appointment of alternates.
6. The recommendation that directors be permitted to appoint an observer at directors' meetings, in accordance with an annually reviewed Policy. (E)
7. The recommendation that no substitutes be permitted at Committee level.
8. The recommendation that we amend the Articles of Association to confirm the term of appointment of the Chair as three years.

Appendix A1

THE COMPANIES ACT 2006
COMPANY LIMITED BY GUARANTEE
AND NOT HAVING A SHARE CAPITAL
ARTICLES OF ASSOCIATION
OF
NEW ANGLIA LOCAL ENTERPRISE PARTNERSHIP LIMITED

1. **PRELIMINARY**

The model articles for private companies limited by guarantee contained in Schedule 2 of the Companies (Model Articles) Regulations 2008 (SI 2008/3229) as amended (the “**Model Articles**”) shall apply to the Company save in so far as they are excluded or varied by these Articles and such regulations (save as so excluded or varied) and these Articles shall be the regulations of the Company.

2. **INTERPRETATION**

2.1 In these Articles and in the Model Articles the following expressions have the following meanings unless inconsistent with the context:

“**the Act**” the Companies Act 2006 as in force on the date when these articles become binding upon the Company;

“**Ambassador Member**” Either the representative of a significant business which operates in the LEP Region, whether or not the principal place of that business is in the LEP Region, or an individual from time to time approved by the directors;

“**these Articles**” these Articles of Association, whether as originally adopted or as from time to time altered by special resolution;

“**Chairperson**” [any person appointed by the directors to act as chairperson of the board of directors;](#)

“**clear days**” in relation to the period of a notice means that period excluding the day when the notice is given or deemed to be given and the day for which it is

	given or on which it is to take effect;
“Connected Person”	shall have the same meaning as in section 839 of the Income and Capital Taxes Act 1998;
“the directors”	the directors for the time being of the Company or (as the context shall require) any of them acting as the board of directors of the Company;
“Education Sector Director”	any person appointed as a director under article 5.3.3;
“Education Sector Member”	any institution admitted to membership in accordance with article 5.3.1;
“executed”	includes any mode of execution;
“LEP Region”	the geographical region assigned to the LEP from time to time;
“member”	any member of the Company, of whatever class;
<u>“Private and Education Sector Director”</u>	<u>the Private Sector Directors and the Education Sector Directors;</u>
<u>“Private and Education Sector Member”</u>	<u>the Private Sector Members and the Education Sector Members;</u>
“Private Sector Director”	any person appointed as a director under article 5.1.3;
“Private Sector Member”	any person admitted to membership in accordance with article 5.1.1;
“Public Sector Director”	any person appointed as a director under article 5.2.3;
“Public Sector Member”	any local authority admitted to membership in accordance with article 5.2.1;
“qualified person”	a person directly holding a relevant interest whether the original grantee of a relevant interest or an assignee thereof (in the case of a leasehold interest) or the owner (in the case of the freehold) of a relevant interest other than the Company and where there is more than one

such person then such persons jointly;

“secretary”

the secretary of the Company or any other person appointed to perform the duties of the secretary of the Company, including a joint, assistant or deputy secretary;

“the United Kingdom”

Great Britain and Northern Ireland.

2.2 Unless the context otherwise requires, words or expressions contained in these Articles and in the Model Articles shall bear the same meaning as in the Act but excluding any statutory modification thereof not in force when these Articles become binding on the Company. Regulation 1 of the Model Articles shall not apply to the Company.

2.3 The definition of “subsidiary” in the Model Articles shall be amended by the addition of the following words “and a company shall be treated, for the purpose only of the membership requirement contained in subsections 1159(1)(b) and (c), as a member of another company even if its shares in that other company are registered in the name of (a) another person (or its nominee), whether by way of security or in connection with the taking of security, or (b) its nominee.

3. **OBJECTS**

3.1 The objects for which the Company is established are (the **“Objects”**):

3.1.1 to stimulate economic growth, employment, community development, inward investment and commerce in Norfolk and Suffolk.

3.1.2 to promote Norfolk and Suffolk positively at regional, national, European and international levels on matters affecting its economic development.

3.2 In furtherance of the objects but not further or otherwise the Company may exercise the following powers:

3.2.1 to do all such things which in the opinion of the directors are in the best interests of the Company and its members or the other users of the Company’s services;

3.2.2 to do all such other things as may be deemed incidental or conducive to the attainment of the Company’s objects or any of them.

4. **MEMBERSHIP**

4.1 The members shall be categorised as follows:

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- 4.1.1 Private Sector Members;
 - 4.1.2 Public Sector Members; and
 - 4.1.3 Education Sector Members.
- 4.2 Membership shall be open to persons who possess the characteristics (as appropriate) set out in articles 5.1 to 5.3 (inclusive), and who:
- 4.2.1 apply to the Company in the form required by the directors;
 - 4.2.2 are approved by the directors; and
 - 4.2.3 sign a written consent to become a member agreeing to be bound by these Articles.
- 4.3 The directors shall be entitled to refuse admission to membership if:
- 4.3.1 in their opinion, the person does not possess the required characteristics of a member pursuant to articles 5.1.1, 5.2.1 or 5.3.1 (as appropriate); or
 - 4.3.2 in their opinion, they consider it not to be in the best of interests of the Company to admit such person as a member.
- 4.4 Membership shall not be transferable.

5. **RIGHTS OF MEMBERSHIP**

- 5.1 The Private Sector Members shall:
- 5.1.1 consist of individuals who undertake business, professional or other commercial activities within the LEP Region with a view to making profit;
 - 5.1.2 subject to article 5.1.3, each be entitled to exercise one vote in relation to any resolution of the members; and
 - 5.1.3 subject to article 10.2.1, have the right, as a class of members, from time to time to appoint as their representatives up to ~~eight~~ten natural persons to be directors and may at any time remove any such person and appoint another person in their place.
- 5.2 The Public Sector Members shall:
- 5.2.1 be Norfolk County Council, Norwich City Council, Suffolk County Council and Ipswich Borough Council and such of the district councils in the LEP Region who apply to become members;

- 5.2.2 subject to article 5.2.3, each be entitled to exercise one vote in relation to any resolution of the members; and
- 5.2.3 subject to article 10.2.2, have the right, as a class of members, from time to time to appoint as their representatives, up to 6 persons, comprising 1 person from each of Norfolk County Council, Norwich City Council, Suffolk County Council, Ipswich Borough Council and up to 2 persons from the district councils in the LEP Region, to be directors and may at any time appoint or remove any such person and appoint another person in their place.
- 5.3 The Education Sector Members shall:
- 5.3.1 consist of universities or colleges established for, or other providers of, further or higher education in the LEP Region;
- 5.3.2 subject to article 5.3.3, each be entitled to exercise one vote in relation to any resolution of the members; and
- 5.3.3 subject to article 10.2.3, have the right, as a class of members, from time to time to appoint as their representatives up to two persons to be directors and may at any time remove any such person and appoint another person in their place.
- 5.4 Any appointments or removals of directors referred to in articles 5.1.3, 5.2.3 or 5.3.3 shall be effected in writing signed by or on behalf of a majority of the relevant members and shall take effect upon lodgement at the Company's registered office or on delivery to a meeting of the directors. Any such representative director shall be entitled to notice of board meetings, to attend all board meetings and to receive copies of all documents to be considered at board meetings, and to speak and vote at such meetings.
- 5.5 The rights of a class of members under these Articles shall only be varied if:
- 5.5.1 75% of the members of that class consent in writing to the variation; or
- 5.5.2 a special resolution is passed at a separate class meeting of those members agreeing to the variation.
- 5.6 The provisions regarding general meetings in these Articles shall, subject to the necessary changes being made, apply to such class meeting of the members.
6. **TERMINATION OF MEMBERSHIP**
- 6.1 Subject to article 6.2, a member shall cease to be a member if:

- 6.1.1 such member gives written notice to the Company of their resignation as a member;
 - 6.1.2 such member dies (if a natural person), or (if not a natural person) ceases to exist;
 - 6.1.3 such member is declared bankrupt (in the case of a natural person) or (if not a natural person) makes any arrangement or composition with its creditors, or goes into liquidation;
 - 6.1.4 the members pass an ordinary resolution to remove such member; or
 - 6.1.5 such member ceases to possess the required characteristics of a member pursuant to articles 5.1.1, 5.2.1 or 5.3.1 (as appropriate).
- 6.2 Upon any member ceasing to be a member for any reason, any person appointed as a director to be their representative shall at the same time vacate their office as a director.
- 6.3 The number of members shall not at any time be fewer than 15. Where a person is precluded from ceasing to be a member of the Company by reason of the foregoing restriction, upon an additional member subsequently increasing the number of members of the Company (other than persons who have ceased to be qualified persons) above 15, the member whose membership has ceased pursuant to article 6.1 shall immediately cease to be a member of the Company.

7. **GENERAL MEETINGS**

- 7.1 The directors may call general meetings and shall proceed to convene a general meeting on the requisition of members pursuant to the provisions of the Act.
- 7.2 Subject to articles 7.3 and 7.4, the Company shall in each year hold an annual general meeting in addition to any other meetings in that year, and shall be held at such time and at such place as the directors shall appoint.
- 7.3 The Company must hold its first annual general meeting within 18 months after the date of its incorporation.
- 7.4 An annual general meeting must be held in each subsequent year and not more than 18 months may elapse between successive annual general meetings.
- 7.5 All general meetings shall be called by at least fourteen clear days' notice but a general meeting may be called by shorter notice if it is so agreed in accordance with section 307(4) of the Act. The notice shall specify the time and place of the meeting and the general nature of the business to be transacted.

- 7.6 Notwithstanding that the Company does not have a share capital, every notice convening a general meeting shall comply with the provisions of the Act as to giving information to members in regard to their right to appoint proxies; and notices of and other communications relating to any general meeting which any member is entitled to receive shall be sent to the directors and to the auditors, if any, for the time being of the Company.
- 7.7 No business shall be transacted at any general meeting unless the requisite quorum is present at the commencement of the business and also when such business is voted upon. ~~7~~Nine members present in person or by proxy, which shall consist of no fewer than ~~4~~6 Private and Education Sector Members and no fewer than 3 Public Sector Members, shall be a quorum for all purposes. A corporation being a member shall be deemed to be personally present if represented in accordance with the provisions of the Act.
- 7.8 If a quorum is not present within half an hour from the time appointed for a general meeting the general meeting shall stand adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the directors may determine; and if at the adjourned general meeting a quorum is not present within half an hour from the time appointed therefor the member or members present in person or by proxy or (being a body corporate) by representative and entitled to vote upon the business to be transacted shall constitute a quorum and shall have power to decide upon all matters which could properly have been disposed of at the meeting from which the adjournment took place. Regulation 27 of the Model Articles shall not apply to the Company.
- 7.9 The accidental omission to give notice of a meeting any member entitled to receive notice of and attend and vote at general meetings shall not invalidate the proceedings at that meeting.
- 7.10 A proxy shall be entitled to vote on a show of hands.

8. **AMBASSADORS**

- 8.1 Ambassador Members shall be appointed by a majority the directors and will, upon written notice by a majority of the directors, cease to be Ambassador Members.
- 8.2 The directors shall in each year convene no fewer than 2 meetings of the Ambassadors Members ("**Ambassador Meeting**") to which other stakeholders (as determined from time to time by the directors) will also be invited.
- 8.3 The principal purpose of any Ambassador Meeting shall be to give the directors the opportunity to give an account of the performance of the Company.

8.4 All Ambassador Meetings shall be called by at least 14 clear days' notice. The notice shall specify the time and place of the meeting.

9. **ALTERNATE DIRECTORS**

9.1 No director shall be entitled to appoint an alternate director or anyone to act on their behalf at meetings of the directors.

10. **DIRECTORS**

10.1 The number of directors may be determined by the members and until so determined shall be no fewer than 10.

10.2 A director must be a natural person and must at all times possess the following characteristics (as appropriate) unless otherwise approved by special resolution of the members:

10.2.1 in respect of a Private Sector Director, an owner (in whole or in part), or officer or principal of a business or undertaking carried on with a view to making profit and conducting the whole or a part of its business within the LEP Region;

10.2.2 in respect of a Public Sector Director, a leader or deputy leader, or cabinet member with lead responsibility for economic development within a Public Sector Member; or

10.2.3 in respect of an Education Sector Director, a vice-chancellor, pro vice-chancellor, principal or person of equivalent seniority in an Education Sector Member.

10.3 The directors may regulate their proceedings as they think fit, subject to the provisions of these Articles.

10.4 Questions arising at a meeting of the directors shall be decided by a majority of votes.

10.5 In the case of an equality of votes, the person chairing the meeting shall have a second or casting vote.

10.6 Any director may call a meeting of the directors.

10.7 Subject to article 10.8, no business shall be transacted at any meeting of the directors unless a quorum is present. A quorum shall be 79 directors present in person and shall include no fewer than 46 Private and Education Sector Directors and no fewer than 3 Public Sector Directors. Notwithstanding any vacancies in their number, the continuing directors or, where there is only one, the sole continuing

director may continue to act, but if the number of directors is fewer than the number fixed as the quorum, they may act only for the purposes of calling a general meeting.

- 10.8 If a quorum is not present within half an hour from the time appointed for a meeting of the directors the meeting shall stand adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the directors may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed the directors present shall constitute a quorum and shall have the power to decide upon all matters which could properly have been disposed of at the meeting from which the adjourned meeting took place.

11. **DISQUALIFICATION AND REMOVAL OF DIRECTORS**

- 11.1 The office of a director shall be vacated if:

11.1.1 he ceases to be a director by virtue of any provision of the Act or these Articles or he becomes prohibited by law from being a director; or

11.1.2 he becomes bankrupt or makes any arrangement or composition with his creditors generally; or

11.1.3 he is, or may be, suffering from mental disorder and either:

11.1.3.1 he is admitted to hospital in pursuance of an application for admission for treatment under the Mental Health Act 1983 or, in Scotland, an application for admission under the Mental Health (Scotland) Act 1960, or

11.1.3.2 an order is made by a court having jurisdiction (whether in the United Kingdom or elsewhere) in matters concerning mental disorder for his detention or for the appointment of a receiver, curator bonis or other person to exercise powers with respect to his property or affairs; or

11.1.4 he resigns his office by notice to the Company;

11.1.5 he shall for more than six consecutive months have been absent without permission of the directors from meetings of directors held during that period and the directors resolve that his office be vacated;

11.1.6 he ceases to have the characteristics (as appropriate) required pursuant to article 10.2; or

- 11.1.7 he is directly or indirectly involved in any transaction or arrangement and fails to declare the nature of his interest in the manner required by article 12.
- 11.2 Upon any director who is also a Private Sector Member vacating their office as a director of the Company for any reason, such director shall at the same time cease to be a member.
- 11.3 Regulation 18 of the Model Articles shall not apply to the Company.

12. **PROCEEDINGS OF THE DIRECTORS**

- 12.1 Subject to the provisions of the Act, and provided that he has first disclosed to the directors the nature and extent of any interest of his, a director notwithstanding his office:

- 12.1.1 may be a party to or otherwise interested in any transaction or arrangement with the Company or in which the Company is in any way interested;
- 12.1.2 may be a director or other officer of or employed by or be a party to any transaction or arrangement with or otherwise interested in any body corporate promoted by the Company or in which the Company is in any way interested;
- 12.1.3 may, or any firm or company of which he is a member or director may, act in a professional capacity for the Company or any body corporate in which the Company is in any way interested;
- 12.1.4 shall not by reason of his office be accountable to the Company for any benefit which he derives from such office, service or employment or from any such transaction or arrangement or from any interest in any such body corporate and no such transaction or arrangement shall be liable to be avoided on the ground of any such interest or benefit;

but shall not be entitled to vote on any resolution and shall not be counted in the quorum on any matter referred to in any of articles 12.1.1 to 12.1.4 (inclusive) or on any resolution which in any way concerns or relates to a matter in which he has, directly or indirectly, any kind of interest whatsoever and if he shall vote on any such resolution as his vote shall not be counted.

- 12.2 For the purposes of article 12.1:

- 12.2.1 a general notice to the directors that a director is to be regarded as having an interest of the nature and extent specified in the notice in any

transaction or arrangement in which a specified person or class of persons is interested shall be deemed to be a disclosure that the director has an interest in any such transaction of the nature and extent so specified;

- 12.2.2 an interest of which a director has no knowledge and of which it is unreasonable to expect him to have knowledge shall not be treated as an interest of his; and
 - 12.2.3 an interest of a person who is for any purpose of the Act (excluding any statutory modification not in force when the Company was incorporated) connected with a director shall be treated as an interest of the director.
- 12.3 Any director may participate in a meeting of the directors or a committee of the directors of which he is a member by means of a conference telephone or similar communications equipment whereby all persons participating in the meeting can hear each other and participation in a meeting in this manner shall be deemed to constitute presence in person at such meeting and, subject to these Articles and the Act, he shall be entitled to vote and be counted in a quorum accordingly. Such a meeting shall be deemed to take place where the largest group of those participating is assembled or, if there is no such group, where the chairman of the meeting then is.
- 12.4 Regulation 9 of the Model Articles shall be amended by adding the following sentence at the end of sub-clause (3):

“Notice of every meeting of the directors shall be given to each director including directors who may for the time being be absent from the United Kingdom and have given the Company an address within the United Kingdom for service.”

13. **RETIREMENT OF PRIVATE SECTOR DIRECTORS AND CHAIRPERSON**

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- 13.1 All Private Sector Directors shall retire from office at the end of the next annual general meeting after the expiry of each of their Terms of Appointment (as such expression is defined below in article 13.2), and subject to articles 13.2, 13.3 and 13.4 shall be eligible for re-election by the members at that annual general meeting.
- 13.2 The expression “**Terms of Appointment**” shall have the following meaning:
- 13.2.1 the initial term of appointment of any Private Sector Director shall be one year;
 - 13.2.2 the second term of appointment of any Private Sector Director shall be no more than 2 years; ~~and~~

13.2.3 the third term of appointment of any Private Sector Director shall be no more than 3 years-; [and](#)

[13.2.4 the term of appointment of the Chairperson shall be three years.](#)

13.3 A retiring Private Sector Director shall, subject to article 13.4, be eligible for re-election for such term as specified in article 13.2 (as appropriate).

13.4 Any Private Sector Director who shall have served for a total term of 6 years shall not be entitled to be re-elected. [For the avoidance of doubt, any Chairperson shall be entitled to serve for their full Term of Appointment notwithstanding that they may serve for a total term as a Private Sector Director in excess of 6 years.](#)

14. **DIRECTORS' CONFLICTS OF INTEREST**

14.1 The directors may, in accordance with the requirements set out in this article, authorise any matter or situation proposed to them by any director which would, if not authorised, involve a director breaching his duty under section 175 of the Act to avoid conflicts of interest (“**Conflict**”).

14.2 Any authorisation under this article will be effective only if:

14.2.1 the matter in question shall have been proposed by any director for consideration at a meeting of directors in the same way that any other matter may be proposed to the directors under the provisions of these Articles or in such other manner as the directors may determine;

14.2.2 any requirement as to the quorum at the meeting of the directors at which the matter is considered is met without counting the director in question; and

14.2.3 the matter was agreed to without his voting or would have been agreed to if his vote had not been counted.

14.3 Any authorisation of a Conflict under this article may (whether at the time of giving the authorisation or subsequently):

14.3.1 extend to any actual or potential conflict of interest which may reasonably be expected to arise out of the matter so authorised;

14.3.2 be subject to such terms and for such duration, or impose such limits or conditions as the directors may determine; and

14.3.3 be terminated or varied by the directors at any time.

This will not affect anything done by the director prior to such termination or variation in accordance with the terms of the authorisation.

14.4 In authorising a Conflict the directors may decide (whether at the time of giving the authorisation or subsequently) that if a director has obtained any information through his involvement in the Conflict otherwise than as a director of the Company and in respect of which he owes a duty of confidentiality to another person, the director is under no obligation to:

14.4.1 disclose such information to the directors or to any director or other officer or employee of the company; or

14.4.2 use or apply any such information in performing his duties as a director,

where to do so would amount to a breach of that confidence.

14.5 Where the directors authorise a Conflict they may (whether at the time of giving the authorisation or subsequently) provide, without limitation, that the director:

14.5.1 is excluded from discussions (whether at meetings of directors or otherwise) related to the Conflict;

14.5.2 is not given any documents or other information relating to the Conflict; and

14.5.3 may not vote (or may not be counted in the quorum) at any future meeting of directors in relation to any resolution relating to the Conflict.

14.6 Where the directors authorise a Conflict:

14.6.1 the director will be obliged to conduct himself in accordance with any terms imposed by the directors in relation to the Conflict; and

14.6.2 the director will not infringe any duty he owes to the company by virtue of sections 171 to 177 of the Act provided he acts in accordance with such terms, limits and conditions (if any) as the directors impose in respect of its authorisation.

14.7 A director is not required, by reason of being a director (or because of the fiduciary relationship established by reason of being a director), to account to the Company for any remuneration, profit or other benefit which he derives from or in connection with a relationship involving a Conflict which has been authorised by the directors or by the Company in general meeting (subject in each case to any terms, limits or conditions attaching to that authorisation) and no contract shall be liable to be avoided on such grounds.

15. **DIRECTOR'S BENEFITS**

15.1 No director or connected person may:

15.1.1 buy goods or services from the Company on terms preferential to those applicable to members of the public;

15.1.2 sell goods, services or any interest in land to the Company;

15.1.3 be employed by or receive any remuneration from the Company;

15.1.4 receive any other financial benefit from the Company;

unless the payment is reasonable in all the circumstances and has been approved in advance by the directors (provided always that any director so concerned may not vote or be counted in the quorum at any such meeting of the directors).

16. **RECORDS OF DECISIONS TO BE KEPT**

Where decisions of the directors are taken by electronic means, such decisions shall be recorded by the directors in permanent form, so that they may be read with the naked eye.

17. **THE SECRETARY**

Subject to the Act, the secretary shall be appointed by the directors for such term, such remuneration and upon such conditions as they think fit, and any secretary so appointed may be removed by them, provided always that no director may hold office as secretary, where such office is remunerated.

18. **MEANS OF COMMUNICATION TO BE USED**

18.1 Any notice, document or other information shall be deemed served on or delivered to the intended recipient:

18.1.1 if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, 48 hours after it was posted (or five business days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five business days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);

- 18.1.2 if properly addressed and delivered by hand, when it was given or left at the appropriate address;
- 18.1.3 if properly addressed and sent or supplied by electronic means, one hour after the document or information was sent or supplied; and
- 18.1.4 if sent or supplied by means of a website, when the material is first made available on the website or (if later) when the recipient receives (or is deemed to have received) notice of the fact that the material is available on the website.

For the purposes of this article, no account shall be taken of any part of a day that is not a working day.

- 18.2 In proving that any notice, document or other information was properly addressed, it shall be sufficient to show that the notice, document or other information was delivered to an address permitted for the purpose by the Act.

19. **INDEMNITY**

- 19.1 Subject to the Act but without prejudice to any indemnity to which a director may otherwise be entitled, each director (including an alternate director) or other officer of the Company (other than any person (whether an officer or not) engaged by the Company as auditor) shall be indemnified out of the assets of the Company against all losses or liabilities which he may sustain or incur in or about the lawful execution of the duties of his office or otherwise in relation thereto, including any liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his part or in connection with any application in which relief from liability is granted to him by the court, and no director (including an alternate director) or other officer shall be liable for any loss, damage or misfortune which may happen to or be incurred by the Company in the lawful execution of the duties of his office or in relation thereto. Regulation 38 of the Model Articles shall not apply.
- 19.2 Notwithstanding Regulation 39 of the Model Articles, the directors may authorise the directors of companies within the same group of companies as the Company to purchase and maintain insurance at the expense of the Company for the benefit of any director (including an alternate director), or other relevant officer of such company in respect of such liability, loss or expenditure as is referred to in Regulation 39.

20. **INSURANCE**

The Company may purchase and maintain, for the benefit of any director, officer or auditor of the Company or of any company which is the holding company, a subsidiary, or a fellow subsidiary of the Company, insurance against any liability as is referred to in section 310(1) of the Act and, subject to the provisions of the Act, against any other liability which may attach to him or loss or expenditure which he may incur in relation to anything done or alleged to have been done or omitted to be done as a director, officer or auditor.

21. **LIABILITY OF MEMBERS**

21.1 The liability of each member is limited to £1.00, being the amount that each member undertakes to contribute to the assets of the Company in the event of its being wound up while he is a member or within one year after he ceases to be a member, for:

21.1.1 payment of the Company's debts and liabilities contracted before he ceases to be a member;

21.1.2 payment of the costs, charges and expenses of winding up; and

21.1.3 adjustment of the rights of the contributories among themselves.

22. **WINDING UP**

22.1 On the winding up of the Company all the assets that would otherwise be available to the members generally shall be transferred:

22.1.1 directly in furtherance of the Objects; or

22.1.2 to any body with objects similar to the Objects.

Appendix A2

THE COMPANIES ACT 2006
COMPANY LIMITED BY GUARANTEE
AND NOT HAVING A SHARE CAPITAL
ARTICLES OF ASSOCIATION

OF

NEW ANGLIA LOCAL ENTERPRISE PARTNERSHIP LIMITED

1. PRELIMINARY

The model articles for private companies limited by guarantee contained in Schedule 2 of the Companies (Model Articles) Regulations 2008 (SI 2008/3229) as amended (the “**Model Articles**”) shall apply to the Company save in so far as they are excluded or varied by these Articles and such regulations (save as so excluded or varied) and these Articles shall be the regulations of the Company.

2. INTERPRETATION

2.1 In these Articles and in the Model Articles the following expressions have the following meanings unless inconsistent with the context:

“**the Act**” the Companies Act 2006 as in force on the date when these articles become binding upon the Company;

“**Ambassador Member**” Either the representative of a significant business which operates in the LEP Region, whether or not the principal place of that business is in the LEP Region, or an individual from time to time approved by the directors;

“**these Articles**” these Articles of Association, whether as originally adopted or as from time to time altered by special resolution;

“**Chairperson**” any person appointed by the directors to act as chairperson of the board of directors;

“**clear days**” in relation to the period of a notice means that period excluding the day when the notice is given or deemed to be given and the day for which it is

given or on which it is to take effect;

“Connected Person”	shall have the same meaning as in section 839 of the Income and Capital Taxes Act 1998;
“the directors”	the directors for the time being of the Company or (as the context shall require) any of them acting as the board of directors of the Company;
“Education Sector Director”	any person appointed as a director under article 5.3.3;
“Education Sector Member”	any institution admitted to membership in accordance with article 5.3.1;
“executed”	includes any mode of execution;
“LEP Region”	the geographical region assigned to the LEP from time to time;
“member”	any member of the Company, of whatever class;
“Private and Education Sector Director”	the Private Sector Directors and the Education Sector Directors;
“Private and Education Sector Member”	the Private Sector Members and the Education Sector Members;
“Private Sector Director”	any person appointed as a director under article 5.1.3;
“Private Sector Member”	any person admitted to membership in accordance with article 5.1.1;
“Public Sector Director”	any person appointed as a director under article 5.2.3;
“Public Sector Member”	any local authority admitted to membership in accordance with article 5.2.1;
“qualified person”	a person directly holding a relevant interest whether the original grantee of a relevant interest or an assignee thereof (in the case of a leasehold interest) or the owner (in the case of the freehold) of a relevant interest other than the Company and where there is more than one

such person then such persons jointly;

“secretary”

the secretary of the Company or any other person appointed to perform the duties of the secretary of the Company, including a joint, assistant or deputy secretary;

“the United Kingdom”

Great Britain and Northern Ireland.

2.2 Unless the context otherwise requires, words or expressions contained in these Articles and in the Model Articles shall bear the same meaning as in the Act but excluding any statutory modification thereof not in force when these Articles become binding on the Company. Regulation 1 of the Model Articles shall not apply to the Company.

2.3 The definition of “subsidiary” in the Model Articles shall be amended by the addition of the following words “and a company shall be treated, for the purpose only of the membership requirement contained in subsections 1159(1)(b) and (c), as a member of another company even if its shares in that other company are registered in the name of (a) another person (or its nominee), whether by way of security or in connection with the taking of security, or (b) its nominee.

3. OBJECTS

3.1 The objects for which the Company is established are (the “**Objects**”):

3.1.1 to stimulate economic growth, employment, community development, inward investment and commerce in Norfolk and Suffolk.

3.1.2 to promote Norfolk and Suffolk positively at regional, national, European and international levels on matters affecting its economic development.

3.2 In furtherance of the objects but not further or otherwise the Company may exercise the following powers:

3.2.1 to do all such things which in the opinion of the directors are in the best interests of the Company and its members or the other users of the Company’s services;

3.2.2 to do all such other things as may be deemed incidental or conducive to the attainment of the Company’s objects or any of them.

4. MEMBERSHIP

4.1 The members shall be categorised as follows:

- 4.1.1 Private Sector Members;
 - 4.1.2 Public Sector Members; and
 - 4.1.3 Education Sector Members.
- 4.2 Membership shall be open to persons who possess the characteristics (as appropriate) set out in articles 5.1 to 5.3 (inclusive), and who:
- 4.2.1 apply to the Company in the form required by the directors;
 - 4.2.2 are approved by the directors; and
 - 4.2.3 sign a written consent to become a member agreeing to be bound by these Articles.
- 4.3 The directors shall be entitled to refuse admission to membership if:
- 4.3.1 in their opinion, the person does not possess the required characteristics of a member pursuant to articles 5.1.1, 5.2.1 or 5.3.1 (as appropriate); or
 - 4.3.2 in their opinion, they consider it not to be in the best of interests of the Company to admit such person as a member.
- 4.4 Membership shall not be transferable.

5. RIGHTS OF MEMBERSHIP

- 5.1 The Private Sector Members shall:
- 5.1.1 consist of individuals who undertake business, professional or other commercial activities within the LEP Region with a view to making profit;
 - 5.1.2 subject to article 5.1.3, each be entitled to exercise one vote in relation to any resolution of the members; and
 - 5.1.3 subject to article 10.2.1, have the right, as a class of members, from time to time to appoint as their representatives up to ten natural persons to be directors and may at any time remove any such person and appoint another person in their place.
- 5.2 The Public Sector Members shall:
- 5.2.1 be Norfolk County Council, Norwich City Council, Suffolk County Council and Ipswich Borough Council and such of the district councils in the LEP Region who apply to become members;

- 5.2.2 subject to article 5.2.3, each be entitled to exercise one vote in relation to any resolution of the members; and
- 5.2.3 subject to article 10.2.2, have the right, as a class of members, from time to time to appoint as their representatives, up to 6 persons, comprising 1 person from each of Norfolk County Council, Norwich City Council, Suffolk County Council, Ipswich Borough Council and up to 2 persons from the district councils in the LEP Region, to be directors and may at any time appoint or remove any such person and appoint another person in their place.
- 5.3 The Education Sector Members shall:
- 5.3.1 consist of universities or colleges established for, or other providers of, further or higher education in the LEP Region;
- 5.3.2 subject to article 5.3.3, each be entitled to exercise one vote in relation to any resolution of the members; and
- 5.3.3 subject to article 10.2.3, have the right, as a class of members, from time to time to appoint as their representatives up to two persons to be directors and may at any time remove any such person and appoint another person in their place.
- 5.4 Any appointments or removals of directors referred to in articles 5.1.3, 5.2.3 or 5.3.3 shall be effected in writing signed by or on behalf of a majority of the relevant members and shall take effect upon lodgement at the Company's registered office or on delivery to a meeting of the directors. Any such representative director shall be entitled to notice of board meetings, to attend all board meetings and to receive copies of all documents to be considered at board meetings, and to speak and vote at such meetings.
- 5.5 The rights of a class of members under these Articles shall only be varied if:
- 5.5.1 75% of the members of that class consent in writing to the variation; or
- 5.5.2 a special resolution is passed at a separate class meeting of those members agreeing to the variation.
- 5.6 The provisions regarding general meetings in these Articles shall, subject to the necessary changes being made, apply to such class meeting of the members.
- 6. TERMINATION OF MEMBERSHIP**
- 6.1 Subject to article 6.2, a member shall cease to be a member if:

- 6.1.1 such member gives written notice to the Company of their resignation as a member;
 - 6.1.2 such member dies (if a natural person), or (if not a natural person) ceases to exist;
 - 6.1.3 such member is declared bankrupt (in the case of a natural person) or (if not a natural person) makes any arrangement or composition with its creditors, or goes into liquidation;
 - 6.1.4 the members pass an ordinary resolution to remove such member; or
 - 6.1.5 such member ceases to possess the required characteristics of a member pursuant to articles 5.1.1, 5.2.1 or 5.3.1 (as appropriate).
- 6.2 Upon any member ceasing to be a member for any reason, any person appointed as a director to be their representative shall at the same time vacate their office as a director.
- 6.3 The number of members shall not at any time be fewer than 15. Where a person is precluded from ceasing to be a member of the Company by reason of the foregoing restriction, upon an additional member subsequently increasing the number of members of the Company (other than persons who have ceased to be qualified persons) above 15, the member whose membership has ceased pursuant to article 6.1 shall immediately cease to be a member of the Company.

7. **GENERAL MEETINGS**

- 7.1 The directors may call general meetings and shall proceed to convene a general meeting on the requisition of members pursuant to the provisions of the Act.
- 7.2 Subject to articles 7.3 and 7.4, the Company shall in each year hold an annual general meeting in addition to any other meetings in that year, and shall be held at such time and at such place as the directors shall appoint.
- 7.3 The Company must hold its first annual general meeting within 18 months after the date of its incorporation.
- 7.4 An annual general meeting must be held in each subsequent year and not more than 18 months may elapse between successive annual general meetings.
- 7.5 All general meetings shall be called by at least fourteen clear days' notice but a general meeting may be called by shorter notice if it is so agreed in accordance with section 307(4) of the Act. The notice shall specify the time and place of the meeting and the general nature of the business to be transacted.

- 7.6 Notwithstanding that the Company does not have a share capital, every notice convening a general meeting shall comply with the provisions of the Act as to giving information to members in regard to their right to appoint proxies; and notices of and other communications relating to any general meeting which any member is entitled to receive shall be sent to the directors and to the auditors, if any, for the time being of the Company.
- 7.7 No business shall be transacted at any general meeting unless the requisite quorum is present at the commencement of the business and also when such business is voted upon. Nine members present in person or by proxy, which shall consist of no fewer than 6 Private and Education Sector Members and no fewer than 3 Public Sector Members, shall be a quorum for all purposes. A corporation being a member shall be deemed to be personally present if represented in accordance with the provisions of the Act.
- 7.8 If a quorum is not present within half an hour from the time appointed for a general meeting the general meeting shall stand adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the directors may determine; and if at the adjourned general meeting a quorum is not present within half an hour from the time appointed therefor the member or members present in person or by proxy or (being a body corporate) by representative and entitled to vote upon the business to be transacted shall constitute a quorum and shall have power to decide upon all matters which could properly have been disposed of at the meeting from which the adjournment took place. Regulation 27 of the Model Articles shall not apply to the Company.
- 7.9 The accidental omission to give notice of a meeting any member entitled to receive notice of and attend and vote at general meetings shall not invalidate the proceedings at that meeting.
- 7.10 A proxy shall be entitled to vote on a show of hands.

8. **AMBASSADORS**

- 8.1 Ambassador Members shall be appointed by a majority the directors and will, upon written notice by a majority of the directors, cease to be Ambassador Members.
- 8.2 The directors shall in each year convene no fewer than 2 meetings of the Ambassadors Members ("**Ambassador Meeting**") to which other stakeholders (as determined from time to time by the directors) will also be invited.
- 8.3 The principal purpose of any Ambassador Meeting shall be to give the directors the opportunity to give an account of the performance of the Company.

8.4 All Ambassador Meetings shall be called by at least 14 clear days' notice. The notice shall specify the time and place of the meeting.

9. **ALTERNATE DIRECTORS**

9.1 No director shall be entitled to appoint an alternate director or anyone to act on their behalf at meetings of the directors.

10. **DIRECTORS**

10.1 The number of directors may be determined by the members and until so determined shall be no fewer than 10.

10.2 A director must be a natural person and must at all times possess the following characteristics (as appropriate) unless otherwise approved by special resolution of the members:

10.2.1 in respect of a Private Sector Director, an owner (in whole or in part), or officer or principal of a business or undertaking carried on with a view to making profit and conducting the whole or a part of its business within the LEP Region;

10.2.2 in respect of a Public Sector Director, a leader or deputy leader, or cabinet member with lead responsibility for economic development within a Public Sector Member; or

10.2.3 in respect of an Education Sector Director, a vice-chancellor, pro vice-chancellor, principal or person of equivalent seniority in an Education Sector Member.

10.3 The directors may regulate their proceedings as they think fit, subject to the provisions of these Articles.

10.4 Questions arising at a meeting of the directors shall be decided by a majority of votes.

10.5 In the case of an equality of votes, the person chairing the meeting shall have a second or casting vote.

10.6 Any director may call a meeting of the directors.

10.7 Subject to article 10.8, no business shall be transacted at any meeting of the directors unless a quorum is present. A quorum shall be 9 directors present in person and shall include no fewer than 6 Private and Education Sector Directors and no fewer than 3 Public Sector Directors. Notwithstanding any vacancies in their number, the continuing directors or, where there is only one, the sole continuing

director may continue to act, but if the number of directors is fewer than the number fixed as the quorum, they may act only for the purposes of calling a general meeting.

- 10.8 If a quorum is not present within half an hour from the time appointed for a meeting of the directors the meeting shall stand adjourned to the same day in the next week at the same time and place or to such other day and at such other time and place as the directors may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed the directors present shall constitute a quorum and shall have the power to decide upon all matters which could properly have been disposed of at the meeting from which the adjourned meeting took place.

11. **DISQUALIFICATION AND REMOVAL OF DIRECTORS**

11.1 The office of a director shall be vacated if:

11.1.1 he ceases to be a director by virtue of any provision of the Act or these Articles or he becomes prohibited by law from being a director; or

11.1.2 he becomes bankrupt or makes any arrangement or composition with his creditors generally; or

11.1.3 he is, or may be, suffering from mental disorder and either:

11.1.3.1 he is admitted to hospital in pursuance of an application for admission for treatment under the Mental Health Act 1983 or, in Scotland, an application for admission under the Mental Health (Scotland) Act 1960, or

11.1.3.2 an order is made by a court having jurisdiction (whether in the United Kingdom or elsewhere) in matters concerning mental disorder for his detention or for the appointment of a receiver, curator bonis or other person to exercise powers with respect to his property or affairs; or

11.1.4 he resigns his office by notice to the Company;

11.1.5 he shall for more than six consecutive months have been absent without permission of the directors from meetings of directors held during that period and the directors resolve that his office be vacated;

11.1.6 he ceases to have the characteristics (as appropriate) required pursuant to article 10.2; or

11.1.7 he is directly or indirectly involved in any transaction or arrangement and fails to declare the nature of his interest in the manner required by article 12.

11.2 Upon any director who is also a Private Sector Member vacating their office as a director of the Company for any reason, such director shall at the same time cease to be a member.

11.3 Regulation 18 of the Model Articles shall not apply to the Company.

12. **PROCEEDINGS OF THE DIRECTORS**

12.1 Subject to the provisions of the Act, and provided that he has first disclosed to the directors the nature and extent of any interest of his, a director notwithstanding his office:

12.1.1 may be a party to or otherwise interested in any transaction or arrangement with the Company or in which the Company is in any way interested;

12.1.2 may be a director or other officer of or employed by or be a party to any transaction or arrangement with or otherwise interested in any body corporate promoted by the Company or in which the Company is in any way interested;

12.1.3 may, or any firm or company of which he is a member or director may, act in a professional capacity for the Company or any body corporate in which the Company is in any way interested;

12.1.4 shall not by reason of his office be accountable to the Company for any benefit which he derives from such office, service or employment or from any such transaction or arrangement or from any interest in any such body corporate and no such transaction or arrangement shall be liable to be avoided on the ground of any such interest or benefit;

but shall not be entitled to vote on any resolution and shall not be counted in the quorum on any matter referred to in any of articles 12.1.1 to 12.1.4 (inclusive) or on any resolution which in any way concerns or relates to a matter in which he has, directly or indirectly, any kind of interest whatsoever and if he shall vote on any such resolution as his vote shall not be counted.

12.2 For the purposes of article 12.1:

12.2.1 a general notice to the directors that a director is to be regarded as having an interest of the nature and extent specified in the notice in any

transaction or arrangement in which a specified person or class of persons is interested shall be deemed to be a disclosure that the director has an interest in any such transaction of the nature and extent so specified;

12.2.2 an interest of which a director has no knowledge and of which it is unreasonable to expect him to have knowledge shall not be treated as an interest of his; and

12.2.3 an interest of a person who is for any purpose of the Act (excluding any statutory modification not in force when the Company was incorporated) connected with a director shall be treated as an interest of the director.

12.3 Any director may participate in a meeting of the directors or a committee of the directors of which he is a member by means of a conference telephone or similar communications equipment whereby all persons participating in the meeting can hear each other and participation in a meeting in this manner shall be deemed to constitute presence in person at such meeting and, subject to these Articles and the Act, he shall be entitled to vote and be counted in a quorum accordingly. Such a meeting shall be deemed to take place where the largest group of those participating is assembled or, if there is no such group, where the chairman of the meeting then is.

12.4 Regulation 9 of the Model Articles shall be amended by adding the following sentence at the end of sub-clause (3):

“Notice of every meeting of the directors shall be given to each director including directors who may for the time being be absent from the United Kingdom and have given the Company an address within the United Kingdom for service.”

13. **RETIREMENT OF PRIVATE SECTOR DIRECTORS AND CHAIRPERSON**

13.1 All Private Sector Directors shall retire from office at the end of the next annual general meeting after the expiry of each of their Terms of Appointment (as such expression is defined below in article 13.2), and subject to articles 13.2, 13.3 and 13.4 shall be eligible for re-election by the members at that annual general meeting.

13.2 The expression “**Terms of Appointment**” shall have the following meaning:

13.2.1 the initial term of appointment of any Private Sector Director shall be one year;

13.2.2 the second term of appointment of any Private Sector Director shall be no more than 2 years;

- 13.2.3 the third term of appointment of any Private Sector Director shall be no more than 3 years; and
- 13.2.4 the term of appointment of the Chairperson shall be three years.
- 13.3 A retiring Private Sector Director shall, subject to article 13.4, be eligible for re-election for such term as specified in article 13.2 (as appropriate).
- 13.4 Any Private Sector Director who shall have served for a total term of 6 years shall not be entitled to be re-elected. For the avoidance of doubt, any Chairperson shall be entitled to serve for their full Term of Appointment notwithstanding that they may serve for a total term as a Private Sector Director in excess of 6 years.
14. **DIRECTORS' CONFLICTS OF INTEREST**
- 14.1 The directors may, in accordance with the requirements set out in this article, authorise any matter or situation proposed to them by any director which would, if not authorised, involve a director breaching his duty under section 175 of the Act to avoid conflicts of interest (“**Conflict**”).
- 14.2 Any authorisation under this article will be effective only if:
- 14.2.1 the matter in question shall have been proposed by any director for consideration at a meeting of directors in the same way that any other matter may be proposed to the directors under the provisions of these Articles or in such other manner as the directors may determine;
- 14.2.2 any requirement as to the quorum at the meeting of the directors at which the matter is considered is met without counting the director in question; and
- 14.2.3 the matter was agreed to without his voting or would have been agreed to if his vote had not been counted.
- 14.3 Any authorisation of a Conflict under this article may (whether at the time of giving the authorisation or subsequently):
- 14.3.1 extend to any actual or potential conflict of interest which may reasonably be expected to arise out of the matter so authorised;
- 14.3.2 be subject to such terms and for such duration, or impose such limits or conditions as the directors may determine; and
- 14.3.3 be terminated or varied by the directors at any time.

This will not affect anything done by the director prior to such termination or variation in accordance with the terms of the authorisation.

14.4 In authorising a Conflict the directors may decide (whether at the time of giving the authorisation or subsequently) that if a director has obtained any information through his involvement in the Conflict otherwise than as a director of the Company and in respect of which he owes a duty of confidentiality to another person, the director is under no obligation to:

14.4.1 disclose such information to the directors or to any director or other officer or employee of the company; or

14.4.2 use or apply any such information in performing his duties as a director, where to do so would amount to a breach of that confidence.

14.5 Where the directors authorise a Conflict they may (whether at the time of giving the authorisation or subsequently) provide, without limitation, that the director:

14.5.1 is excluded from discussions (whether at meetings of directors or otherwise) related to the Conflict;

14.5.2 is not given any documents or other information relating to the Conflict; and

14.5.3 may not vote (or may not be counted in the quorum) at any future meeting of directors in relation to any resolution relating to the Conflict.

14.6 Where the directors authorise a Conflict:

14.6.1 the director will be obliged to conduct himself in accordance with any terms imposed by the directors in relation to the Conflict; and

14.6.2 the director will not infringe any duty he owes to the company by virtue of sections 171 to 177 of the Act provided he acts in accordance with such terms, limits and conditions (if any) as the directors impose in respect of its authorisation.

14.7 A director is not required, by reason of being a director (or because of the fiduciary relationship established by reason of being a director), to account to the Company for any remuneration, profit or other benefit which he derives from or in connection with a relationship involving a Conflict which has been authorised by the directors or by the Company in general meeting (subject in each case to any terms, limits or conditions attaching to that authorisation) and no contract shall be liable to be avoided on such grounds.

15. DIRECTOR'S BENEFITS

15.1 No director or connected person may:

15.1.1 buy goods or services from the Company on terms preferential to those applicable to members of the public;

15.1.2 sell goods, services or any interest in land to the Company;

15.1.3 be employed by or receive any remuneration from the Company;

15.1.4 receive any other financial benefit from the Company;

unless the payment is reasonable in all the circumstances and has been approved in advance by the directors (provided always that any director so concerned may not vote or be counted in the quorum at any such meeting of the directors).

16. RECORDS OF DECISIONS TO BE KEPT

Where decisions of the directors are taken by electronic means, such decisions shall be recorded by the directors in permanent form, so that they may be read with the naked eye.

17. THE SECRETARY

Subject to the Act, the secretary shall be appointed by the directors for such term, such remuneration and upon such conditions as they think fit, and any secretary so appointed may be removed by them, provided always that no director may hold office as secretary, where such office is remunerated.

18. MEANS OF COMMUNICATION TO BE USED

18.1 Any notice, document or other information shall be deemed served on or delivered to the intended recipient:

18.1.1 if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, 48 hours after it was posted (or five business days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five business days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);

- 18.1.2 if properly addressed and delivered by hand, when it was given or left at the appropriate address;
- 18.1.3 if properly addressed and sent or supplied by electronic means, one hour after the document or information was sent or supplied; and
- 18.1.4 if sent or supplied by means of a website, when the material is first made available on the website or (if later) when the recipient receives (or is deemed to have received) notice of the fact that the material is available on the website.

For the purposes of this article, no account shall be taken of any part of a day that is not a working day.

- 18.2 In proving that any notice, document or other information was properly addressed, it shall be sufficient to show that the notice, document or other information was delivered to an address permitted for the purpose by the Act.

19. **INDEMNITY**

- 19.1 Subject to the Act but without prejudice to any indemnity to which a director may otherwise be entitled, each director (including an alternate director) or other officer of the Company (other than any person (whether an officer or not) engaged by the Company as auditor) shall be indemnified out of the assets of the Company against all losses or liabilities which he may sustain or incur in or about the lawful execution of the duties of his office or otherwise in relation thereto, including any liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his part or in connection with any application in which relief from liability is granted to him by the court, and no director (including an alternate director) or other officer shall be liable for any loss, damage or misfortune which may happen to or be incurred by the Company in the lawful execution of the duties of his office or in relation thereto. Regulation 38 of the Model Articles shall not apply.
- 19.2 Notwithstanding Regulation 39 of the Model Articles, the directors may authorise the directors of companies within the same group of companies as the Company to purchase and maintain insurance at the expense of the Company for the benefit of any director (including an alternate director), or other relevant officer of such company in respect of such liability, loss or expenditure as is referred to in Regulation 39.

20. **INSURANCE**

The Company may purchase and maintain, for the benefit of any director, officer or auditor of the Company or of any company which is the holding company, a subsidiary, or a fellow subsidiary of the Company, insurance against any liability as is referred to in section 310(1) of the Act and, subject to the provisions of the Act, against any other liability which may attach to him or loss or expenditure which he may incur in relation to anything done or alleged to have been done or omitted to be done as a director, officer or auditor.

21. **LIABILITY OF MEMBERS**

21.1 The liability of each member is limited to £1.00, being the amount that each member undertakes to contribute to the assets of the Company in the event of its being wound up while he is a member or within one year after he ceases to be a member, for:

21.1.1 payment of the Company's debts and liabilities contracted before he ceases to be a member;

21.1.2 payment of the costs, charges and expenses of winding up; and

21.1.3 adjustment of the rights of the contributories among themselves.

22. **WINDING UP**

22.1 On the winding up of the Company all the assets that would otherwise be available to the members generally shall be transferred:

22.1.1 directly in furtherance of the Objects; or

22.1.2 to any body with objects similar to the Objects.

Appendix B

NEW ANGLIA LOCAL ENTERPRISE PARTNERSHIP LIMITED

(Registered in England - No 07685830)

WRITTEN RESOLUTION

(Circulated on **INSERT DATE** 2019)

("Circulation Date")

The directors of the Company propose that, in accordance with Chapter 2 of Part 13 of the Companies Act 2006, the following resolution be passed as a special resolution:

SPECIAL RESOLUTION

THAT new articles of association in the form annexed to this written resolution are approved and adopted as the articles of association of the Company in substitution for, and to the exclusion of, the existing articles of association.

If you agree to the above resolution, please signify your agreement by signing and dating this document where indicated and returning it to the Company by delivering the signed copy in accordance with the notes at the end of this document. Unless sufficient agreement has been received for the resolution to pass within 28 days of the Circulation Date, it will lapse. You should read the notes at the end of this document before signifying your agreement to the above resolution.

I, the undersigned, being a member entitled to vote on the above resolution on the Circulation Date, **IRREVOCABLY AGREE** to the above resolution:

EDUCATION SECTOR MEMBERS

Signature:	Signature:
Name:	Name:
Duly authorised for and on behalf of West Suffolk College	Duly authorised for and on behalf of Suffolk New College
Date:	Date:

Signature:	Signature:
Name:	Name:
Duly authorised for and on behalf of College of West Anglia	Duly authorised for and on behalf of City College Norwich
Date:	Date:

Signature:
Name:
Duly authorised for and on behalf of **Easton & Otley College**
Date:

Signature:
Name:
Duly authorised for and on behalf of **East Coast College**
Date:

Signature:
Name:
Duly authorised for and on behalf of **One Sixth Form College**
Date:

Signature:
Name:
Duly authorised for and on behalf of **East Norfolk Sixth Form College**
Date:

Signature:
Name:
Duly authorised for and on behalf of **University of East Anglia**
Date:

Signature:
Name:
Duly authorised for and on behalf of **University of Suffolk**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Norwich University of the Arts**
Date:

PRIVATE SECTOR MEMBERS

Signature:
Name: **Doug Field**
Date:

Signature:
Name: **Dr Tim Whitley**
Date:

Signature:
Name: **Jeanette Wheeler**
Date:

Signature:
Name: **Sandy Ruddock**
Date:

Signature:
Name: **Steve Oliver**
Date:

Signature:
Name: **Dominic Keen**
Date:

Signature:
Name: **Lindsey Rix**
Date:

Signature:
Name: **Johnathan Reynolds**
Date:

Signature:
Name: **Claire Cullens**
Date:

Signature:
Name: **Pete Joyner**
Date:

PUBLIC SECTOR MEMBERS

Signature:
Name:
Duly authorised for and on behalf of **Norfolk County Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Suffolk County Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Ipswich Borough Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Norwich City Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Broadland District Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **West Suffolk Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **North Norfolk District Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **South Norfolk District Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Borough Council of King's Lynn and West Norfolk**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Babergh District Council**
Date:

Signature:

Signature:

Name:

Name:

Duly authorised for and on behalf of **Mid-Suffolk District Council**

Duly authorised for and on behalf of **East Suffolk Council**

Date:

Date:

Signature:

Signature:

Name:

Name:

Duly authorised for and on behalf of **Breckland District Council**

Duly authorised for and on behalf of **Great Yarmouth Borough Council**

Date:

Date:

Notes:

1 If you agree to the resolution, please indicate your agreement by signing and dating this document where indicated and returning it to the Company by using one of the following methods:

By hand: by delivering the signed copy to Rosanne Wijnberg, Centrum, Norwich Research Park, Colney Lane, Norwich, NR4 7UG

By post: by returning the signed copy by post to Rosanne Wijnberg, Centrum, Norwich Research Park, Colney Lane, Norwich, NR4 7UG

By e-mail: by attaching a scanned copy of the signed document to an e-mail and sending it to Rosanne.Wijnberg@newanglia.co.uk. Please enter "New Anglia LEP Limited- written resolution" in the subject box of the e-mail.

2 If you do not agree to the resolution, you do not need to do anything. You will not be deemed to agree if you fail to reply.

3 **ONCE YOU HAVE INDICATED YOUR AGREEMENT TO THE RESOLUTION, YOU MAY NOT REVOKE YOUR AGREEMENT.**

4 Unless sufficient agreement has been received for the resolution to pass within 28 days of the Circulation Date, it will lapse. If you agree to the resolution, please ensure that your agreement reaches the Company within 28 days of the Circulation Date.

5 If you are signing this document on behalf of a person under a power of attorney or other authority please send a copy of the relevant power of attorney or authority when returning this document.

Appendix C

NEW ANGLIA LOCAL ENTERPRISE PARTNERSHIP LIMITED (“Company”)

(Registered in England – No. 07685830)

**WRITTEN CONSENT OF THE EDUCATION SECTOR MEMBERS RELATING TO A
VARIATION OF CLASS RIGHTS**

For the purposes of article 5.6 of the Company’s articles of association (“**Articles**”), section 631 of the Companies Act 2006 or otherwise we, being not less than three quarters of the Education Sector Members (as defined in the Articles), hereby irrevocably consent to and sanction the passing of the resolution set out in the written resolution, a copy of which is attached to this consent, and to every variation, modification or abrogation of the rights, privileges and restrictions attaching to such shares contained or inherent in or consequent upon the passing of the resolution.

This written consent shall be held as passed once signatures representing the requisite threshold have been received by the Company.

Signature:	Signature:
Name:	Name:
Duly authorised for and on behalf of West Suffolk College	Duly authorised for and on behalf of Suffolk New College
Date:	Date:

Signature:	Signature:
Name:	Name:
Duly authorised for and on behalf of College of West Anglia	Duly authorised for and on behalf of City College Norwich
Date:	Date:

Signature:	Signature:
Name:	Name:
Duly authorised for and on behalf of Easton & Otley College	Duly authorised for and on behalf of East Coast College
Date:	Date:

Signature:
Name:
Duly authorised for and on behalf of **One Sixth Form College**
Date:

Signature:
Name:
Duly authorised for and on behalf of **East Norfolk Sixth Form College**
Date:

Signature:
Name:
Duly authorised for and on behalf of **University of East Anglia**
Date:

Signature:
Name:
Duly authorised for and on behalf of **University of Suffolk**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Norwich University of the Arts**
Date:

APPENDIX

WRITTEN RESOLUTION

Special Resolution

THAT new articles of association in the form annexed to this written resolution are approved and adopted as the articles of association of the Company in substitution for, and to the exclusion of, the existing articles of association.

Appendix C

NEW ANGLIA LOCAL ENTERPRISE PARTNERSHIP LIMITED (“Company”)

(Registered in England – No. 07685830)

WRITTEN CONSENT OF THE PRIVATE SECTOR MEMBERS RELATING TO A VARIATION OF CLASS RIGHTS

For the purposes of article 5.6 of the Company’s articles of association (“**Articles**”), section 631 of the Companies Act 2006 or otherwise we, being not less than three quarters of the Private Sector Members (as defined in the Articles), hereby irrevocably consent to and sanction the passing of the resolution set out in the written resolution, a copy of which is attached to this consent, and to every variation, modification or abrogation of the rights, privileges and restrictions attaching to such shares contained or inherent in or consequent upon the passing of the resolution.

This written consent shall be held as passed once signatures representing the requisite threshold have been received by the Company.

Signature:	Signature:
Name: Doug Field	Name: Dr Tim Whitley
Date:	Date:

Signature:	Signature:
Name: Jeanette Wheeler	Name: Sandy Ruddock
Date:	Date:

Signature:	Signature:
Name: Steve Oliver	Name: Dominic Keen
Date:	Date:

Signature:	Signature:
Name: Lindsey Rix	Name: Johnathan Reynolds
Date:	Date:

Signature:

Name: **Claire Cullens**

Date:

Signature:

Name: **Pete Joyner**

Date:

APPENDIX

WRITTEN RESOLUTION

Special Resolution

THAT new articles of association in the form annexed to this written resolution are approved and adopted as the articles of association of the Company in substitution for, and to the exclusion of, the existing articles of association.

NEW ANGLIA LOCAL ENTERPRISE PARTNERSHIP LIMITED (“Company”)

(Registered in England – No. 07685830)

**WRITTEN CONSENT OF THE PUBLIC SECTOR MEMBERS RELATING TO A
VARIATION OF CLASS RIGHTS**

For the purposes of article 5.6 of the Company’s articles of association (“**Articles**”), section 631 of the Companies Act 2006 or otherwise we, being not less than three quarters of the Public Sector Members (as defined in the Articles), hereby irrevocably consent to and sanction the passing of the resolution set out in the written resolution, a copy of which is attached to this consent, and to every variation, modification or abrogation of the rights, privileges and restrictions attaching to such shares contained or inherent in or consequent upon the passing of the resolution.

This written consent shall be held as passed once signatures representing the requisite threshold have been received by the Company.

Signature:	Signature:
Name:	Name:
Duly authorised for and on behalf of Norfolk County Council	Duly authorised for and on behalf of Suffolk County Council
Date:	Date:

Signature:	Signature:
Name:	Name:
Duly authorised for and on behalf of Ipswich Borough Council	Duly authorised for and on behalf of Norwich City Council
Date:	Date:

Signature:	Signature:
Name:	Name:
Duly authorised for and on behalf of Broadland District Council	Duly authorised for and on behalf of West Suffolk Council
Date:	Date:

Signature:
Name:
Duly authorised for and on behalf of **North Norfolk District Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **South Norfolk District Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Borough Council of King's Lynn and West Norfolk**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Babergh District Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Mid-Suffolk District Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **East Suffolk Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Breckland District Council**
Date:

Signature:
Name:
Duly authorised for and on behalf of **Great Yarmouth Borough Council**
Date:

APPENDIX

WRITTEN RESOLUTION

Special Resolution

THAT new articles of association in the form annexed to this written resolution are approved and adopted as the articles of association of the Company in substitution for, and to the exclusion of, the existing articles of association.

Appendix D

[to be written on the Company's letter heading]

Price Bailey
Anglia House
6 Central Avenue
St Andrews Business Park
Thorpe St Andrew
Norwich
Norfolk
NR7 0HR

_____ 2019

Dear Sirs

Proposed written resolution of New Anglia Local Enterprise Partnership Limited

Pursuant to section 502(1) Companies Act 2006 we enclose a copy of a written resolution of the Company proposed to be agreed to in accordance with Chapter 2 of Part 13 of the Companies Act 2006.

Yours faithfully

for and on behalf of
New Anglia Local Enterprise Partnership Limited

.....
Director/Secretary

Board Attendance & Observers Policy

Introduction

This policy covers Board meeting attendance, observers and a process for addressing any issues of persistent non-attendance and lack of engagement.

Policy

Attendance and Engagement Issues

The Chair is responsible for addressing any issues of persistent non-attendance and lack of engagement.

Observers

Observers are only permitted for Board members who attend by virtue of their role.

Any observer attending a board meeting will be permitted to participate in discussion but will not form part of the quorum for the meeting and will not carry voting rights.

Private Sector Board Members

Private Sector Board members are appointed through a competitive recruitment process and are not permitted to appoint an observer.

Public Sector Board Members

Public sector representatives attend by virtue of their role as local authority leader. It is important that these bodies express their views at the Board meetings to help provide a balanced perspective.

To ensure we maintain a level of skill and experience any observers should be of equivalent status. In the case of local authority members this must be a deputy leader or relevant portfolio holder.

Education Sector Leaders

The education members are classed as representing the private sector but allowed to send observers to board meetings.

Any observer should be of equivalent status and in the case of universities and colleges an alternate principal or vice chancellor.

Policy Review

This policy will be reviewed on an annual basis.

Summary

This report provides an overview of LEP team activities since the February board, structured around:

- 1) Programmes
- 2) Strategy
- 3) Engagement
- 4) Operations and Finance

For this month’s report section 5) provides an update as requested by the board on the place branding activity, including a project timeline.

The media dashboard is attached as an appendix to the report

A second appendix is the letter from Government detailing the outcome of our Annual Performance Review.

Recommendations

The board is asked to:

Confirm the appointment of Martin Williams to the Investment Appraisal Committee

Agree to the formation of a LIS Independent Expert Panel with appropriate terms of reference

Note the contents of the report

1) Programmes

This section provides a headline update on the LEP’s main programmes.

Investment Appraisal Committee

Following an open recruitment process the LEP Board is asked to confirm the appointment of Martin Williams of Santander Corporate Banking to the role of independent member of the Investment Appraisal Committee.

Martin has previously supported the IAC as a reviewer of loan and investment opportunities.

To ensure transparency in decision making is maintained, a level of independent external due diligence will still be conducted on all funding requests to the IAC prior to consideration by the committee.

Recommendation

The board is asked to confirm the appointment of Martin Williams to the Investment Appraisal Committee

Growth Deal

Good progress has been made throughout the year up to the middle of January 2019, with outputs rising against forecasts & agreed targets.

There have been some areas of delay or uncertainty over delivery which is now manifesting itself through a significant reduction in expenditure forecast to the end of the Financial Year. Those Capital Growth projects which continue to experience the most significant slippage are the Ely Area (Rail) Capacity Enhancement, Norwich City Centre Transport Package and Lowestoft Flood Risk Management Project.

There are clear signs that the payment situation is improving and that our emerging forecasts for the 2019/20 Financial Year presents a much more positive picture. For example, West Suffolk College is expected to drawdown its full allocation of £3m in the next 6-7 months.

Growth Programme/BEIS funding

The Small Grant Scheme element of the Growth Programme is exceeding forecast performance and by the end of March 2019, the grant programme will have passed the May 2019 target.

MHCLG will conduct a six-month review meeting with the LEP delivery team before the end of March 2019, in line with the conditions attached to the award of the extension funding for the programme during 2018. With the small grant scheme outperforming expectations and output achievement in line with targets, there are no concerns regarding funding for the funding for the programme to 2021.

The roll out of the LEP CRM system continues and all Norfolk and Suffolk local authority economic development departments now have access to the system, which will for the first time enable access to client management information across the LEP, Growth Hub and local authorities, to ensure that we can provide the best quality business support to our SMEs.

A business plan has been submitted for 2020/21 BEIS funding, to enable the Growth Hub to continue to provide skills advice to businesses as well as to continue the development of the LEP’s CRM system.

Growing Places Fund - Confidential

Innovative Projects Fund

The Investment Appraisal Committee will review a paper on the recommended approvals for the Innovative Projects Fund at its March 2019 meeting, immediately before the LEP board.

The recommendations are to initially support 3 projects requesting a total of £182,000 of revenue funding. In addition, the IAC are also recommended to offer conditional support to a further 5 projects requesting a total of £466k but subject to provision of further detail and information. Should all projects ultimately be approved the over-commitment above the programme budget of £500k will be managed through annual profiling of the grant awards.

The remaining 10 projects are recommended to be rejected or referred to other sources of funding.

The IAC is also requested to recommend to the LEP board that the Innovative Projects Fund should continue for at least 2 further years with an operational each year of £500k from EZ pot C income. This figure is included incorporated into the budget provided to the March meeting of the LEP board.

New Anglia Capital

Up to the March meeting of the New Anglia Capital board meeting, a total of £2.3 million has now been invested into 14 early stage, high growth potential businesses, matched to private investors from NAC’s project partner Anglia Capital Group.

Of that figure, £770k was invested in 2018, into a range of sectors including Agritech, Biotech, Foodtech and Cleantech. Also in 2018, New Anglia Capital saw its first exit from Fraser Well Management. The initial investment saved 10 highly skilled jobs in the energy sector in Great Yarmouth.

Anglia Capital Group, the organisation commissioned by New Anglia Capital to build a network of angel investors across Norfolk and Suffolk saw its membership double over 2018, with 48 investors now in the network. They saw a record level of investment within the group, at £1.4 million – this was double their target figure.

Agritech

New Anglia LEP has been informed that the Growth Deal funding for the Cambridge and Peterborough Combined Authority, which has been suspended since 2017 has now been signed off by the Secretary of State. This includes up to £4m of match for the Agritech programme.

The New Anglia LEP board had previously agreed to provide a contribution of £1m to the programme to support projects within the Agritech sector in Norfolk and Suffolk, dependant on the match funding being made available by the end of March 2019.

The legal agreement for the funding from New Anglia has been drafted and reviewed by the CPCA with a view to signing the final version by the end of March 2019. LEP Funding will then be released in a minimum of two tranches, subject to evidence of future demand.

2) Strategy

This section provides an update on the work being undertaken by the LEP’s strategy team since the last board meeting. This includes work around skills, infrastructure and transport.

Delivery of the Economic Strategy

The Annual Progress Report on the Economic Strategy was presented to the LEP Board, Local Authority Leaders, Business and Education Leaders at the Local Industrial Strategy Workshop on 5th March 2019. Work is now taking place on designing an on-line version of the annual report – a first draft of which will be considered by the Economic Strategy Delivery Co-ordinating Board at their next meeting on 2nd April.

The next Economic Strategy Delivery Co-ordinating Board meeting will consider gaps that have been identified in the deliver plan and discuss actions to take forward to fill the them.

Industrial Strategy

Offshore Wind Sector Deal - The prospectus pulled together by the LEP Executive mapping out our region’s offshore wind cluster was instrumental in securing the national launch of the Sector Deal.

Minister of State for Energy and Clean Growth Claire Perry MP visited the region on 7th March to launch the Sector Deal in Lowestoft and Great Yarmouth. The LEP organised a roundtable for the Minister with representatives from across the offshore wind supply chain, education providers, local authority leaders and MPs.

Media coverage of the launch can be found in the media dashboard appendix.

Nuclear Sector Deal - BEIS have assessed the draft business case for the nuclear supply chain programme and have come back to the three nuclear LEPs (New Anglia, Cumbria and Heart of the South West) and Nuclear AMRC with a few details that need ironing out before the final business case is submitted. This is a key item of delivering the Sector Deal published in June 2018.

Tourism Sector Deal - The LEP Executive have followed up on the positive meetings held with DCMS and Visit Britain earlier in the year and continued to offer support and find out where the opportunities are in the Sector Deal on top of potential Tourism Zones, which we are hoping to be successfully recognised as.

Negotiations are ongoing between Government and Visit Britain in terms of the Sector Deal’s content, so there is still much to play for.

The Visit East of England launch at Holkham Hall will be a positive milestone to showcase the region’s assets on 28th March and DCMS are in talks to visit the region for more detailed discussions around our tourism offer and the Sector Deal.

Food and Drink Sector Deal - The Food and Drink Council are negotiating with Government on the proposals that were pulled together by the Food and Drink Federation. The key areas of focus for this Sector Deal are Innovation, Exports and Skills as it stands.

The LEP Executive attends Food and Drink LEP Network meetings which have fed into Sector Deal negotiations. In addition, the team have been in touch with the Sector Deal’s lead to offer support and discuss the areas of opportunity that are likely to be in the Sector Deal when published.

Local Industrial Strategy (LIS)

LIS External Support Tender - Following approval by the LEP Board last month, the tender was advertised on 28th February. The closing date is set for Thursday, 21st March, with interviews scheduled for Thursday, 28th March. Representatives from Suffolk County Council and South Norfolk Council, as well as members of the LEP Executive will sit on the interview panel. The successful candidate will start work on 1st April 2019.

LIS Engagement Plan

There will be a series of engagement events in May and June which will focus on shaping the interventions which will drive forward the opportunities within the three LIS themes. Further details will be publicised as soon as these have been finalised.

LIS Leaders Session 5th March

Thank you to all those who were able to attend the session at Adastral Park.

We hope it provided valuable insight into the economic trends and why we are developing a Local Industrial Strategy.

Positive feedback has been received from those who attended. We are in the process of collating the feedback from this Workshop and a high-level analysis will be sent out to Leaders in the next couple of weeks.

LIS Independent Expert Panel

As part of the development of the LIS it is expected that the cross Whitehall LIS analytical team will sign off the evidence base and interventions. They will be looking at how external experts from industry and academia have been involved in testing and scrutinising the evidence base, ensuring it aligns to the interventions within Local Industrial Strategy.

Many of the trailblazer areas have set up an Independent Expert Panel to fulfil this expectation.

It is proposed that an Independent Economic Panel is set up for our LIS. The role of the panel will be to provide quality, independent advice and information to the LEP; testing and challenging the evidence; scrutinising the interventions, testing the link between the evidence and interventions and determining whether they will deliver what we expect.

The Panel will meet twice. The first meeting will be to review the LIS evidence base and the emerging interventions and the second will be to review and test the proposed interventions which will form the LIS. Potentially mid-May and mid-July.

The Panel will be made up with 3 or 4 experts from business and academia with strong reputations within their respective fields who come from outside Norfolk and Suffolk. Working with the Economic Strategy Delivery Coordinating Board the LEP Executive are in the process of identifying individuals to approach. Once identified Panel members will be invited by the LEP Chairman.

Recommendation: The Board are recommended to agree the proposed approach for the Independent Economic Expert Panel.

Inclusive Growth

The latest meeting of the Inclusive Growth Group for Great Yarmouth and Lowestoft met on 14th March, discussing issues such as delivering social value through procurement and bringing together the top funders (e.g. Big Lottery, Comic Relief, Children In Need, Community Foundations, etc.) to assess where funds have gone in the area, how much has been spent and who the recipients have been.

Skills

Eastern Institute of Technology

Unfortunately, the Eastern Institute of Technology bid has not been successful in going through to the interview stage. West Suffolk College have not had any feedback on the bid yet. They are keen to work through many of the ambitions of the proposal, so they are just formulating the best way forward.

Skills Advisory Panels (SAP)

The Government is introducing Skills Advisory Panels. We have agreed that the LEP Skills Boards will take on the functions of our Skills Advisory Panel. We have had confirmation of the

Author: Chris Starkie

£75, 000 of funding available to us to enhance our analytical base around skills. We have a further skype meeting this month to ascertain what analytical support the SAP team can give us.

Skills Board – 19th March

The next Skills Board is taking place on 19th March and the meeting has an Energy theme to the agenda. It includes an update on the skills deal at East Coast College training people for the offshore wind industry, a presentation from Guy Hazlehurst on Sizewell developments, updates on the implementation of the recommendations of the Energy sector skills plans and an update from Vattenfall on their skills work.

Norfolk Skills & Careers Festival/ Suffolk Skills Show

6707 young people attended the Festival in Norfolk last week – a record! We worked with the RNAA to cluster the Agri-Food and engineering stands and had a stand alongside them.

We developed a trail between the stands to show how important this sector is to Norfolk and Suffolk (and beyond). The Enterprise Advisor Network team all participated which was a useful way for them to engage with existing contacts and meet new ones. We also had several guests on the stand from the farming community which really helped educate all the visitors. We also used the show to relaunch the New Anglia Youth Pledge, which aims to give all young people the support they need to access a job, training or an apprenticeship.

National Apprenticeship Week and National Careers Week

This took place w/c March 4th and in addition to the Festival above, the LEP supported the Norfolk County Council Apprenticeship of the Year event and the East of England Coop’s Apprenticeship Networking Event.

The LEP has also been awarded £5,000 from the ESFA and £3,000 from the Learning & Work Institute to promote apprenticeships and T levels.

Transport

A14 Strategy Board – 15 February

The LEP attended the A14 Strategy Board meeting on 15 February. As a result we have written a letter to the Secretary of State reiterating our support for schemes being put forward for funding consideration by Government – a decision is expected before the end of the year

A47 Alliance – 15 February

The LEP also attended the A47 Alliance meeting on 15 February. The Alliance expressed concern regarding the delivery of previously agreed schemes by Highway’s England, something that was echoed at our Transport Board meeting on 12 February. As a result we agreed to write a letter to the Roads Minister on behalf of the LEP, the Alliance and the Mayor of the Cambridgeshire and Peterborough Combined Authority outlining those concerns. The Alliance is also lobbying for additional projects to be considered for delivery by Government – a decision is expected before the end of the year.

Transport East – 8 March

Transport East’s recent meeting received presentations regarding the A14 campaign (mentioned above), East-West Rail and engaging with young people. The next meeting in June will look at governance, decision making and moving towards statutory status.

LEP Network – maritime and logistics – 13 March

The second meeting of this group focused on strategic connectivity. Presentations were

received from DfT regarding RIS2 and from the Rail Freight Group on strategic rail freight opportunities.

East-West Rail Consortium – 13 March

The next East-West Rail Consortium meeting was held on 13 March. We have recently prepared a response on the central section (Bedford to Cambridge) consultation.

Tommy Flowers Institute and Transport Systems Catapult engagement

In preparation for the next Transport Board meeting on 21 May work is ongoing around the ‘Agile to Change’ theme of the Integrated Transport Strategy. This has included attending a ‘Hot House’ with the Tommy Flowers Institute and engagement with the Transport Systems Catapult.

Infrastructure

Housing Conference – 11 July

The LEP is in the early stages of developing a Housing Conference with the Housing Finance Institute, the Building Growth Group and Norfolk and Suffolk councils. The event is scheduled for 11 July and others will be involved as plans develop further.

Sizewell C consultation

The LEP has been working with local authority colleagues and the Suffolk Chamber of Commerce to develop a response to the current Sizewell C consultation. The consultation closes on 29 March. The LEP consultation response will be circulated to board members ahead of submission for comment.

Local Energy East – published

The designed version of the Local Energy East Strategy is now published on the LEP website <https://newanglia.co.uk/infrastructure>

Greater South East Energy Hub – 8 March

The Greater South East Energy Hub is a collaboration of eleven LEPs who are working together to increase the number, quality and scale of local energy projects being delivered across the South East of the UK. The latest Hub Board meeting was held on 8 March. Discussion focused on the Hub Business plan, budget and governance. Progress was made on the governance arrangements with an agreed plan to have agreements in place with all LEPs by the end of June. A paper will be presented to the LEP Board at its May meeting.

3) Engagement

This section covers engagement activity with local stakeholders, including local authorities, local businesses and MPs. It also covers activity with Government and our wider international activity. The Communications and Engagement Dashboard is included as Appendix A to this report.

Suffolk County Council Scrutiny Committee

The work of New Anglia LEP was the subject of an enquiry session by Suffolk County Council’s Scrutiny Committee.

The Government’s LEP Review recommended all LEPs either establish their own scrutiny committees or agree to participate in local authority scrutiny committees.

Author: Chris Starkie

We have agreed to appear before the Suffolk County Council’s Committee on an annual basis. We will also appear before Norfolk County Council’s Scrutiny Committee subject to its reestablishment following the authority’s impending governance changes. We have also agreed to appear before district or borough scrutiny committees subject to availability.

The appearance before Suffolk County Council’s Scrutiny Committee was our third appearance since the formation of the LEP.

During more than an hour of questioning the LEP Chief Executive answered a wide range of questions about the work of the LEP. Minutes from the meeting will be published on the LEP website when available.

Exeter Trade mission

Doug Field, Sandy Ruddock, Chris Starkie and Julian Munson took part in a two day trade mission to Exeter and the South West.

The trade mission also included representatives from the Norfolk and Suffolk chambers of commerce and a dozen business people.

It was the return leg of a trip which saw around 20 business people from the South West visit Norfolk and Suffolk.

The visit included a working dinner at Exeter’s Shire Hall and visits to a food business and the construction site for the Hinkley Point nuclear power station.

Outcomes of the trip include sharing knowledge and trade opportunities between the two areas.

Wind Europe Conference

Partners in Norfolk and Suffolk will be attending the Wind Europe Conference, demonstrating our excellence in this sector.

The conference is taking place in Bilbao, Spain.

Participants from ‘The East’ including the LEP, EEEGR with Norfolk & Suffolk partners in the EEEZ, from 2-4 April 2019, with the aim of generating contacts, developing investment leads, and showcasing ‘The East’s’ market opportunities, port capabilities and supply chain strengths.

Key developers will be attending, and some new OEMs that partners are targeting to engage. The event will host 300 exhibitors from 50 countries with the potential to assist us (‘The East’) deliver a cleaner economy for the region and the UK as a major sector of focus for the Economic Strategy as well as the Industrial strategy, also actioning lead generation objectives of Invest East (ERDF) project.

4) Operations and Finance

This section provides an update for the board on any key operational matters as well as a headline summary of the LEP’s core finances. More detail on finances can be found in agenda item 16.

Annual Performance Review

As board members will be aware, the LEP chairman, senior members of the executive team as well as colleagues from our accountable body participated in our Annual Performance Review with Government just before Christmas.

After a period of moderation by the Cities and Local Growth Unit, we have been informed of the outcome of the review and have been classified as good against all three measures – governance, delivery and strategy.

This is a positive outcome and ensures our funding from Government for another 12 months, and it also maintains our position amongst the best performing LEPs. Around a dozen LEPs were classified on one measure as requiring improvement.

However the rating was a surprise as we had previously been rated exceptional for governance and strategy.

We are seeking clarification as the attached letter gives few pointers as to why we have been marked down.

The letter received from Stephen Jones at BEIS is included as Appendix B to this report.

Core Finances

Headline figures for the 11 months to end February are:

Total income £1,671,733 of which £835,663 represents core contribution.

Costs to the end February total £1,536,426 leaving a surplus of £135,307, ahead of budget by £118,192.

This is largely as a result of the additional £200,000 received from government in December 2018. This funding is to help assist with the implementation of the LEP review and development of our Local Industrial Strategy. Only a small proportion of these costs have been incurred to date.

Further detail of the accounts and some of the larger variances will be explained at the board meeting.

5) Place Branding Phase 2 - Update

In February, the LEP Board approved a new umbrella brand for Norfolk and Suffolk to help promote the area’s inward investment and business location offer. The branded offer will also help attract skilled people to work or study here.

Following the board meeting several events and meetings have taken place engaging key stakeholders in the project. The stakeholders included are economic development officers, councils’ marketing and communications leads, sector chairs and people who have been involved in the place branding process.

Overall, the narrative, values and visual identity have been well-received. Across the board, two key points have been highlighted to address during the next phase and that is ensuring there is more of a focus on businesses images and showing our biggest urban centres – Norwich and Ipswich – clearly. These elements will be addressed in the marketing collateral and website.

The next phase is vital in defining the role of the new brand, taking it to market, determining the customer journey, client relation management (eg first point of call), adoption of the narrative, values and visual identity and promoting our place to key sectors and audiences.

This update focuses on the critical work that is planned for up to July. The team is planning activities for after summer and will update the Board about progress at future meetings.

The priorities for April to July 2019:

- New brand toolkit and messaging matrix created
- Tender developed and published, which will include;
- Development of new investment website – including USPs, data, imagery (eg iconic, hero aerial shots), and case studies (incl. video content)
- New marketing/ launch material (high level prospectus)
- Public launch - venue(s) to be agreed
- Agreement on key account management and business engagement, including responsibilities/ processes
- Integration of CRM system for account management/ inward investment activity starts
- Research commences of detailed sector/ cluster profiles and investment case studies
- Development starts on new digital campaign platform and commercial property database.

To take the new brand to market the following activities will take place:

Place Branding Marketing and Communications Action Plan

Timeline Activity	Lead and responsible	Resp. person	Budget	March	April	May	June	July
Branding toolkit with guidelines	CMS/ JB			X				
Messaging matrix for website and collateral (per audience group) This is also essential for partners and other orgs to take on board	CMS/ JB with LEP team				X			
Tender for website and marketing collateral development	LEP team				X			
Set up of brand steering group to develop promotional materials (ie identify success stories)	LEP team			X				
Source and book launch venue	LEP Team			X				
Identifying brands as ambassadors	Steering group				X	X	X	
Local media briefings	LEP Comms				X	X		
Interview agencies for website and collateral	LEP team				X			
LEP Board						X		
Website and marketing collateral development	Agency with LEP team							
Briefings with national and trade press	LEP team					X	X	X

Review of existing CRM system and property database to enable integration with new website	LEP team with agency					X	X	X	
LEP Board								X	
Development of new digital campaign platform	Agency							X	X
LEP Board									X
Public launch and launch of brochure website	LEP team								X
Area prospectus	Agency with LEP team								X
Marketing and media campaign start	LEP team								X

Recommendation

The board is asked to:

Confirm the appointment of Martin Williams to the Investment Appraisal Committee

Agree to the formation of a LIS Independent Expert Panel with appropriate terms of reference

Note the contents of the report

Communications & Engagement

February 2019

This dashboard shows outcomes and impact of communication during February through owned media – the information which we control and issue ourselves – and earned media (third-party outlets). (*Refers to pre-GDPR numbers)

Owned media – social media and e-newsletters

	January 19	February 19	February 18
Number of Twitter followers	7,495 (up 74)	7,542 (up 47)	6,768
Number of clicked links per month	204	136	n/a
Average Twitter engagements per day (likes, retweets etc.)	47.87	33.78	28.7
Number of impressions (number of times users saw our tweet)	92.8K	66.9K	n/a
Number of LinkedIn company page followers	643 (up 54)	680 (up34)	173
E-newsletter: open rate	42.17%	38.31%	21.5%
E-newsletter: click-through rate	31.18%	25.75%	17.32%

Earned media – coverage achieved through third-party outlets

	February 18	February 19
Coverage of our press releases in target media list (EDP, EADT, Lynn News, Ipswich Star, Bury Free Press, BBC, ITV)	100%	100%
Average coverage achieved per press release	3.3 articles	3 articles

Top Tweet

TWEET HIGHLIGHTS

Top Tweet earned 3,410 impressions

Congratulations to [@Holkham](#), winners in the Young People & [#Skills](#) category at the [#nnba19](#). A great strategic plan to promote and support young people wanting to work in north [#Norfolk](#)
pic.twitter.com/WPb5kaEDfr



1 6 14

The top tweet congratulated the winners of the North Norfolk Business Awards, including the Holkham estate, winners of the LEP sponsored Young People & Skills category.

Media coverage

New tidal barrier will protect town from flooding for 100 years

NEWS

The Ipswich LEP has announced that a new tidal barrier will be built to protect the town from flooding for 100 years. The barrier, which is part of the Ipswich Tidal Barrier project, will be built at a cost of £100 million. The project is funded by the LEP's Growing Places Fund, the UK government, and the European Union. The barrier will be built in two stages, with the first stage completed by 2025 and the second stage completed by 2030. The barrier will protect the town of Ipswich from flooding, which is a major risk to the town. The barrier will also create a new park and a new housing development. The LEP is proud to be part of this project, which will help to protect the town and create jobs in the region.

New Anglia LEP

The New Anglia LEP has announced that Lindsey Rix has become the deputy chair of its board.

Ms Rix is managing director of Aviva's UK savings and retirement business. She has previously been responsible for its personal general insurance business as well as chief operating officer for general insurance.

Doug Field, chair of New Anglia Local Enterprise Partnership, said: "Lindsey has been a valued member of the LEP board for some time now. Her energy, ideas and expertise in the financial sector have helped drive a refresh of the LEP's governance and delivery of the Economic Strategy for Norfolk and Suffolk. I know Lindsey will be an even greater asset to the LEP and the region's business community as she begins this new role."

Lindsey Rix, the new deputy chair of the New Anglia LEP

Picture: NEW ANGLIA LEP

This month's coverage was dominated by the opening of the Ipswich tidal barrier, part funded through the LEP's Growing Places Fund, and the appointment of Lindsey Rix as deputy chair of the LEP board.

Public Engagements



The board and executive team attended **42** (7 out of region including Exeter trade mission) engagements during the past month.

Appendix B



Department for
Business, Energy
& Industrial Strategy



Ministry of Housing,
Communities &
Local Government

Cities and Local Growth Unit
1st Floor, Fry Building, 2 Marsham Street,
London,
SW1P 4DP

11 March 2019

Chris Starkie
Chief Executive Officer
New Anglia Local Enterprise Partnership

By email

Dear Chris

I would like to thank you, Doug and the Accountable Body for participating in the New Anglia LEP Annual Performance Review this year. With the publication of *Strengthened Local Enterprise Partnerships*, it has been a year of significant change and I am grateful for your continued cooperation throughout. Your participation in the LEP Network Working Groups has helped greatly in shaping this year's assurance processes, culminating in the publication of the revised National Local Growth Assurance Framework.

As with last year, I am writing to communicate formally the outcomes of the 2018-19 Annual Performance Review, and to set out the actions that are required moving forward. The agreed note of the Annual Performance Review is attached. Alongside the S151 Officer letters to the Accounting Officer, the outcomes of the Annual Performance Reviews will be used to inform recommendations for funding for the 2019-20 financial year.

Performance Review

As set out in the 2018-19 Annual Performance Review Guidance, following the Annual Performance Review meeting, officials in the Cities and Local Growth Unit undertook a review to look at the performance of each LEP across the three themes: governance, delivery and strategy. Following feedback and wider discussion, it was decided not to award an overall marking for this year as initially indicated. It was felt that this was a fairer representation allowing the LEP to focus on each individual theme.

The review also sought to highlight any areas where there may be need for further development or where there is good practice to be shared. This involved reviewing the information provided for the Annual Performance Review meeting along with other sources including Spot Checks on compliance with the National Assurance Framework, Growth Deal data submissions and LEP governance processes and policies.

Following the conclusion of the Annual Performance Review process we have determined that the LEP is compliant with the National Assurance Framework. Feedback under each theme is set out below:

Governance

The LEP's governance is considered to be good.

New Anglia LEP has a good focus on continuous improvement evidenced by the implementation of the actions identified in the independent review you carried out last year. You also have good scrutiny arrangements in place, with the LEP regularly attending local authority scrutiny committees.

Whilst steps have been taken to try to increase diversity of the Board, including appointing a diversity champion and more targeted recruitment, you recognise more needs to be done to work towards the ambition of a third of the Board being women by 2020.

It was clear that the LEP has a good working relationship with the Section 151 and finance officers and the Accountable Body, but the Section 151 Officer has not attended a board meeting. This is something we would expect to see in LEPs that are regarded as 'exceptional'.

The Annual Performance Review identified the following actions to help your continuous improvement in governance:

- The LEP to continue to take proactive steps to meeting the gender balance of the Board with the ambition of achieving a third of women representatives by 2020.
- The LEP and its Accountable Body to consider Section 151 Officer attendance at LEP Board meetings.

Delivery

The LEP's delivery progress is considered to be good.

You have demonstrated good delivery across your projects and programmes, with strong risk management practices and a pipeline of projects. There remains an underspend on the LEP's Local Growth Fund allocation which you have plans to spend by the end of March 2021. Whilst you are branding Local Growth Fund projects appropriately the LEP has not been proactive in requesting Ministerial quotes to increase the profile of the Government's investment in the area.

The Annual Performance Review identified the following action to strengthen project delivery:

- All Local Growth Fund projects are being branded with the required Government logo, but improvements could be made to ensure press notices include Ministerial quotes.

Strategy

The strategic impact of the LEP is considered to be good.

You have a clear shared vision and priorities and the decisions made at Board meetings have a clear tie back to your Economic Strategy. The meeting also highlighted good

examples of how you work proactively with other LEPs across a range of economic issues and geographies.

The following action was identified to strengthen the LEP's strategic influence:

- Good progress is being made on developing your Local Industrial Strategy, including the development of the local evidence base, with strong engagement from the local business community. You will continue to work closely with Cities and Local Growth Unit to finalise the Local Industrial Strategy by March 2020.
- to agree the details of your proposed interventions, in order to ensure you can keep to the planned publication timetable.

Next Steps

The previous sections of this letter set out some areas where we would like you to focus over the next twelve months and my team will be in touch to follow-up this letter. If you have not already done so you should publish the joint assurance statement you wrote with the LEP Chair ahead of your Annual Performance Review on the LEP website. You will receive further information on the decisions relating to your Local Growth Fund and core funding allocations for the 2019-20 year shortly.

As part of the Annual Performance Review preparation we asked you to provide us with information on where Government could better support you to fulfil the ambitions of your place. We have noted this feedback and will continue to work with you to explore these issues over the coming months. Further, we are committed to working with you over the coming months to support you to deliver local priorities and develop your area's Local Industrial Strategies.

I take this opportunity to remind you of the importance of following the communication and branding guidance as Minister Berry stated last year. This will continue to be a term of your grant offer letter.

Thank you once again for participating positively in the process.



STEPHEN JONES
DIRECTOR, CITIES AND LOCAL GROWTH UNIT

cc. LEP Chair and Section 151 Officer.

New Anglia Local Enterprise Partnership Board
Wednesday 27th March 2019

Agenda Item 14

March Programme Performance Reports

Author: Programme leads; Presenter: Rosanne Wijnberg

Summary

The following reports follow for review by the LEP Board this month:

- Enterprise Zones; Julian Munson - **Confidential**
- Agri Tech; Julie West

Agritech Initiative

New Anglia LEP agreed to support the Eastern Agritech Growth Initiative with an additional award of £1m at its October 2018 meeting. Funding was conditional on the Cambridge and Peterborough Combined Authority confirming that they were able to access their Growth Deal funding before the end of March 2019.

New Anglia LEP has been advised that CPCA is now able to access their Growth Deal allocation and as a result £4m of match funding has been made available to support the Eastern Agritech Growth Initiative.

New Anglia LEP has agreed to contribute £1m towards Agritech projects delivered through the programme in Norfolk and Suffolk.

A legal agreement has now been drafted to manage the grant award from New Anglia LEP to the CPCA, with the intention of commencing the payment of grant instalments from April 2019.

Programme figures presented in the attached first performance report for the Board include expenditure incurred over the course of the last year whilst the Growth Deal funding decision has been outstanding.

Future reports will be presented to the Board three times per year.

Recommendation

The board is asked to:

- Note the reports

Eastrn Agri tech Initiative Performance Report

Programme Overview - What is the The Agri-Tech Initiative

Eastern Agritech initiative was launched in April 2013 as a joint partnership offering between the GCGP LEP now CPCA, and New Anglia LEP. It began with a joint £2.3m pot which was topped up with a further £2.5m as it success grew. It supports technology advances in food drink and agriltulture, offering two grants to SMEs: R&D at 50% intervention and a growth grant at 25%. CPCA manages the intitaiive on behalf of the two LEP areas, the funding is provided via the Growth Deal. Since its inception there have been over 91 projects supported, 700 jobs created , £5.65m grant funding attracting £14m private match funding. In recent months the CA have been experiencing financial issues and their funding has been on hold. This issue has now been resolved and £4m of match fudning has been made available to the programme.

What is the Overall Programme Status?

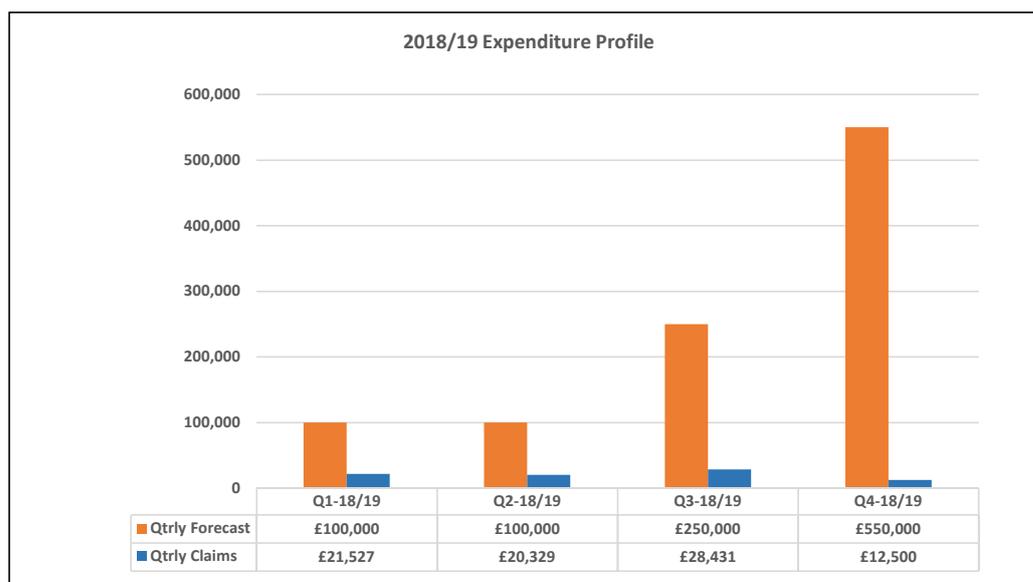
Finance	Amber	Due to the funding being frozen the initiative has been progressing very slowly.
Outputs	Amber	The delay has now been resolved and there has been a small but steady number of projects approved.
Delivery	Green	There is a strong pipeline of high qulaity potential projects.

What are our Key Updates?

CPCA funds have been released and the intiative is progressing.
 Discussion are ongoing regarding a contract between CPCA and New Anglia with regad to the operational delivery and formal project management.
 A new grant panel chairmane has now been appointed.
 A targeted marketing campaign there will support an uplift in the project pipeline

What is our Financial Position?

Financials (£ million)	Actual	Actual	Actual	Forecast	Forecast	Forecast	
Financial Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	Total
Brought Forward					£917,213		
profile spend				£1,000,000	£917,213		
Spend [Act/Fcst]				£82,787			
Unallocated				£917,213			
Carried forward				£917,213			



What is our contribution to the Economic Strategy?

Quarter/ year:

1 (Apr-Jun) 2018

Outputs – cumulative from April 2018 to Quarter 1 2018/19	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Value of growth grants approved			£28,431	
Private sector match funding			£85,293	
Jobs created	0	0	0	0
Value of R&D grants approved	£21,527	£20,329		£12,500
Private sector match funding	£21,527	£20,329		£12,500

What is the Project Delivery Status?

There is a meeting planned between CPCA and New Anglia to discuss the delivery contract, monitoring, marketing and operational issues. We are awaiting a financial figure from CPCA for the project management cost of the initiative.

What are the Next Steps?

Revision of guidance and governance in conjunction with the CPCA preject manager.
 To develop a marketing campaign to promote the initiative across both LEP areas and to the relevant sector.
 To calculate and agree cost of managing the initiative and deduct from the £1m allocation.

New Anglia Local Enterprise Partnership Board

Wednesday 27th March 2019

Agenda Item 15

Growth Deal: Funding Changes within Norwich Area Transportation Strategy Packages

Author: Jonathan Rudd

Presenter: Chris Dashper

Summary and Recommendation

Norfolk County Council (NCC) have requested the virement of Growth Deal funding between the Norwich Area Transportation Strategy (NATS) A11 Corridor Package and the NATS City Centre Package. This will enable an underspend on the Daniels Road and Outer Ring Road Junction Improvement scheme to balance an overspend on the Guardian (with Dereham) Road Junction and Roundhouse Way Transport Interchange schemes.

The LEP Board is invited to support the IAC's recommendation to:

- Approve the transfer of £415,000 from the NATS A11 Corridor Package to the NATS City Centre Package.

Background

The Norwich Area Transportation Strategy (NATS) is a Growth Deal project, approved by the LEP board in 2015. Originally promoted as a city-wide collection of schemes, it was divided into two separate packages at the request of Government; one for the City Centre and a second for the A11 Corridor. The two packages have since proven difficult to deliver, with significant delays incurred through a mixture of land purchase, planning permission, difficult design and public consultation.

On 21 March 2018, the LEP Board agreed to the inclusion of the Plumstead Road Roundabout as a new scheme in the NATS City Centre Package, to replace the Salhouse Road Bus Rapid Transit Scheme, which was no longer viable. The LEP Board also agreed the transfer of £350,000 from the NATS A11 Corridor Package to the NATS City Centre Package to balance out an underspend on Daniels Road Junction and overspend on the Guardian Road Junction.

The current composition and funding allocation for the two NATS Packages is as follows:

- **NATS City Centre Package (£7.350M)** – principally to improve connectivity and accessibility within the core retail and business district by removing through traffic from the city centre, but retaining access to car parks, businesses and other premises. The package comprises of:
 - Phase I; Chapelfield North scheme (pre-Growth Deal),
 - Phase II (£2M); Golden Ball St, Westlegate, All Saints Green, Ber Street & Finkelgate,
 - Guardian Rd Junction (£1.9M); with A1074 Dereham & A140 Sweetbriar,
 - Roundhouse Way Bus Interchange (£0.45M); Northwest of A11 junction'
 - Phase III (£2.6M); Prince of Wales Road, Rose Lane and Agricultural Hall Plain,
 - Plumstead Road Roundabout (£0.4M).

- **NATS A11 Corridor Package (£3.825M)** - focussed on the A11 corridor, to connect Norwich city centre to growth areas in the south west including at the Norwich Research Park, University and Hospital cluster, Cringleford, Wymondham and Hethersett:
 - Part 1 (£2.175m);
 - UEA Bus/Transport Interchange upgrade,
 - Eaton Centre to Newmarket Rd south slip Rd cycle facilities,
 - Toucan crossing on Newmarket Rd between poplar Ave & Unthank Rd,
 - Cycle link extension from Hethersett to Wymondham (off-carriageway),
 - A11 North slip road - Cringleford cycle track,
 - Scheme Development.
 - Part 2 (£1.65M); Junction improvement at A11 (Daniels Rd) & Outer Ring (Newmarket & Mile End Roads).

Proposal

In February 2019, the Highways Team at Norfolk County Council (NCC) proposed the following changes to the allocation of Growth Deal funding:

1. Reallocation of funding within the NATS A11 Corridor Package;
 - a. utilising a £395,000 underspend from the A11 Daniels Road Junction Improvement and Scheme Development toward the Wymondham to Hethersett Cycle Link,
 - b. using a further £100,000 from the A11 Daniels Road Junction for an extension to the Wymondham to Hethersett Cycle link, part of a bid toward the Transforming Cities Fund.
2. Transfer of £415,000 from the NATS A11 Corridor Package (underspend on A11 Daniels Road Junction) to the NATS City Centre Package to balance an overspend on the Dereham-Guardian Road Junction and Roundhouse Way Transport Interchange.

On 6 March 2019, the IAC approved reallocation of Growth Deal funding within the NATS A11 Package and further recommended the transfer of £415,000 from the NATS A11 to the NATS City Centre Package.

Delivery

Work to the A11 Daniels Road / Outer Ring Road scheme to increase A11 capacity and efficiency will now involve amendments to existing signal-controlled junctions and pedestrian crossings. Analysis indicated that options to replace the existing roundabout with either a spilt island or signal controlled junction were not viable to progress. Traffic modelling highlighted additional gains to be made by amending the signal-controlled junction at Colman Road / South Park Avenue and installing staggered pedestrian crossings at locations on Mile End / Colman Road between South Park Avenue and the Daniels Road roundabout.

This scheme was presented to the Norwich Highways Agency Committee (NHAC) at its December 2018 meeting and approval was given to consult on these proposals. This is currently underway. Subject to approval at the NHAC meeting, construction work would start in late summer-2019. An estimate for these works indicates a total spend of approx. £900k, and thereby a saving of £750k against the Growth Deal budget.

The Guardian Road scheme was significantly more complex than first envisaged, with additional costs related to drainage, utilities and traffic management. The revised junction is performing well, with queues largely eliminated at all times of the day. Journey times have been reduced and congestion has been eased considerably. Positive feedback has been received from a wide range of stakeholders. Accounts are being finalised and a funding shortfall of £120k is forecast.

Work on the Roundhouse Way Bus Interchange began on 18 Feb 19 and will complete mid-May 2019. There were significant delays in negotiating a successful transfer of land to NCC from a

consortium of land owners, and the final costs for design and legal fees were higher than anticipated. The presence of a gas, electricity cables and ducting at the site, required changes and amendment to the planning permission, adding resource time and associated cost. Movement of trees, a need to minimise environmental impacts, additional landscaping and other mitigation measures have added further costs. Additional costs are calculated as £295k.

Funding

The saving from the Daniels Road / ORR Junction scheme in the NATS A11 package is to be partly reallocated within the package and partly transferred to the NATS City Centre Package to meet the increased costs of both Guardian Road Junction and Roundhouse Way Bus Interchange as follows:

Scheme	Growth Deal Allocation	Forecast Cost	Variance
NATS A11 Package			
• Scheme development	£175k	£0	−£175,000
• A11 Daniels Road / Outer Ring Road	£1,650k	£900k	−£750,000
• Wymondham – Hethersett Cycle Route Phases 1-4	£1,300k	£1,695k	+£395k
• Wymondham – Hethersett Cycle Route Phase 5,	0	£100k	+£100k
		Total	−£430k
NATS City Centre Package			
• Guardian Road Junction	£2,250k	£2,370k	+£120k
• Roundhouse Way Bus Interchange	£400k	£695k	+£295k
		Total:	+£415k

Link to Economic Strategy. Although these transport packages were incorporated into the Growth Deal before publication of our Economic Strategy for Norfolk & Suffolk, the Key benefits are as follows:

- Guardian Road Junction. This scheme will improve connectivity and access within Norwich; reduce congestion and journey times for businesses and commuters, improve bus reliability and conditions for pedestrians and cyclists, and bring forward growth.
- Roundhouse Way Transport Interchange. Provides significant benefits to public transport users travelling to the Norfolk and Norwich University Hospital (NNUH), University of East Anglia (UEA) and the Norwich Research Park (NRP) from the A11 corridor, as it avoids the need to travel into the city centre and back, saving around 25-40 minutes per journey,

Summary and Recommendation

The LEP Board is invited to support the IAC's recommendation to:

- Approve the transfer of £415,000 from the NATS A11 Corridor Package to the NATS City Centre Package.

New Anglia Local Enterprise Partnership Board

Wednesday 27th March 2019

Agenda Item 16

Finance Report

Author: Rosanne Wijnberg

Summary

This report provides board members with an update from the finance department on the LEP's finances to the period ending 28 February 2019. The report includes **confidential** appendices:

Appendix A - core management accounts period ended 28 February 2019

Management accounts

The LEP's core income and expenditure account for the month ended 28 February 2019 is shown in confidential Appendix A.

28 February 2019

Headline figures for 11 months are: Total income £1,671,733 of which £835,663 represents core contribution.

Costs to the end February total £1,536,426 leaving a surplus of £135,307, ahead of budget by £118,192.

This is largely as a result of the additional £200,000 received from government in December 2018. This funding is to help assist with the implementation of the LEP review and development of our Local Industrial Strategy. Only a small proportion of these costs have been incurred to date.

Further detail of the accounts and some of the larger variances will be explained at the board meeting.

Financial Year End 31 March 2019

The financial audit will be undertaken by Price Bailey for the first time this year. The audit plan has been approved and on-site audit work will commence in early May 2019.

The draft accounts and audit completion document will be presented to the Audit & Risk Committee in early July and subject to any adjustments will recommend that they are approved by the LEP Board at the July meeting.

Recommendation

The board is invited to note the contents of the report.

New Anglia LEP Board Forward Plan – 2019

Date	Venue	Forward Looking	Governance & Delivery
30 th January	The Innovation Centre, University of Suffolk	<ul style="list-style-type: none"> • Aims and Objectives for the Year • Place Branding update • Brexit 	<ul style="list-style-type: none"> • Election of deputy chair • New Anglia LEP Diversity Champion • Amendments to Committee Terms of Reference • Growth Programme Performance Report • Enterprise Zones Performance Report • NAC Bi Annual Report • Remuneration Committee Update
27 th February	The Ideas Factory, Norwich University of the Arts	<ul style="list-style-type: none"> • Place Branding in Norfolk & Suffolk presentation • Brexit • Local Industrial Strategy • All Energy Industry Council 	<ul style="list-style-type: none"> • Private Sector Board Appointments • Economic and Programme Dashboards • Growth Deal Performance Report
27 th March	Birketts Solicitors, Ipswich		<ul style="list-style-type: none"> • Delivery Plan • 2019/2020 Budget • Brexit • ESIF strategy amendments • Capital Growth Programme Call • LEP Local Assurance Framework • Amendments to Articles of Association • Enterprise Zones Performance Report • Agritech Report
April			
No Board Meeting			
23 rd May	Norfolk		<ul style="list-style-type: none"> • Growth Programme Performance Report • Growth Deal Performance Report • Economic and Programme Dashboards • Brexit
25 th June	Gainsborough House, Suffolk	<ul style="list-style-type: none"> • Skills Sector Update 	<ul style="list-style-type: none"> • Enterprise Zones Performance Report • Agritech Report • Brexit
23 rd July	Norwich Castle, Norfolk		<ul style="list-style-type: none"> • Draft accounts • Growth Programme Performance Report • NAC Bi-Annual Report • Brexit
August			
No Board Meeting			
25 th September	Suffolk		<ul style="list-style-type: none"> • Enterprise Zones Performance Report • Economic and Programme Dashboards • Growth Deal Performance Report • Brexit
25 th September	Suffolk	New Anglia LEP AGM	
30 th October	Norfolk		<ul style="list-style-type: none"> • Growth Programme Performance Report • Agritech Report • Brexit
27 th November	Adastral Park, Suffolk		<ul style="list-style-type: none"> • Economic and Programme Dashboards • Growth Deal Performance Report • Brexit
December			
No Board Meeting			

Items to be Scheduled

- Local Industrial Strategy Update
- Local Industrial Strategy Sign Off
- UK Shared Prosperity Fund
- Economic Strategy Annual Review
- Digital Skills
- Tri LEP Energy Strategy
- LEP Programme Beneficiaries
- Enterprise Adviser Network Programme
- Sector Deals
- Cambridge – Norwich Tech Corridor Update
- Enterprise Zone Update
- Inward Investment Delivery Plan Models
- Growth Hub Presentation - Business Support