
Title:	LEP Review Delivery & BTVLEP Incorporation
Purpose:	To welcome the appointment of three private sector members. To inform Board Members of the work of the BTVLEP Incorporation Sub Group to establish a legal personality, to approve draft Articles of Association, to nominate Incorporation directors and to approve the outline transition plan for implementation.
Recommendation:	That Members endorse the recommendations of the BTVLEP Incorporation Sub Group and approve the draft Articles of Association for the new company together with the timetable for implementation over the next 12 months. That the BTVLEP Chair and the Member from the Accountable Body are appointed inception directors and establish the company prior to the March 31 st deadline.

1 LEP Review: Board Member Appointment

Following an open recruitment call over the winter and endorsed the last meeting of this board two new Private Sector Members, Alistair Lomax and Philippa Batting were invited to join and attended board. Members were informed of other applications that had been received. Since the last meeting the interview panel, comprising three board members, has met twice to interview additional prospective candidates and we are pleased to report that the following individuals have been invited to join and indeed rejoin this board. Congratulations and welcome to Rebecca Bunting, Hiren Ghandi and Adrian Brown. Following today's meeting biographies will be posted on the BTVLEP website. One further private sector place remains vacant at present and it is recommended that the recruitment process for this outstanding position is promoted in the coming months after the completion of the incorporation process.

2 LEP Review: Incorporation

Over the past few months BTVLEP have been working to meet the recommendations of the LEP Review and in particular the requirement to establish a "legal personality" for BTVLEP by April 2019.

At the last meeting of this board it was agreed to delegate authority to a Sub Group of Members comprising Andrew Smith, Adam Stronach and Michael Garvey who would support the Executive Team in developing the legal framework for a new company in line with the national recommendations and that legal support be commissioned to support this process. Subsequently Sharpe Pritchard LLP, who have assisted both the LEP Network in assessing the national picture and a number of other LEPs through the incorporation process, were commissioned to undertake

this brief. The Sub Group has met on two occasions to consider the different options available to both effectively deliver the immediate national requirements and to support the wider objective of strengthening the long term economic delivery framework for Buckinghamshire.

Peter Collins from Sharpe Pritchard LLP will be present to explain the agreed legal framework and to answer questions on the draft Articles of Association and Peter Latchford from Black Radley will address the proposed actions and recommended timetable for implementation both prior to and following incorporation.

3 **Background**

Government's 2018 LEP Review required that all LEPs incorporate, that controls are strengthened, and that business board influence is in a prescribed majority. The required changes provide Buckinghamshire with an opportunity to further strengthen the partnership of agencies that drive economic development in the county.

3.1 Design Principles

For Buckinghamshire, the core design principles as proposed by this board at our January meeting are as follows.

- Clear Purpose, Flexible Methods

Team Bucks must respond to the particular circumstances of the day (e.g. shifts in government policy) whilst keeping a clear focus on the long term objective.

- Business Relationships

Team Bucks to retain strong relationships with its business base. These are the foundation of business support and business input to infrastructure development.

- Bucks plus Collaboration

There are opportunities to think on a wider geographic basis than Buckinghamshire namely the Growth Arc. The best way successfully to achieve sub-regional success is to collaborate with partners while maintaining a Buckinghamshire footprint.

- Strengthened Financial Model

A step change increase in business support requires a stronger Team Bucks balance sheet.

4 **Solution**

Four options were considered possible:

1. Separate organisations (BBF, LEP, Bucks Advantage, Enterprise Zone etc), with the interfaces between them defined by contracts drawn up on a transactional basis (i.e. the delivery of x number of y services);
2. Separate organisations, (BBF, LEP, Bucks Advantage, Enterprise Zone etc) with the interfaces between them defined by contracts which recognise the importance of business

engagement assets and development (i.e. the supplier is required to evidence and develop its long term business engagement);

3. A single virtual team comprising a number of separate organisations with a common business planning/budgeting process and Service Level Agreements between them;
4. One team, where a single employing organisation provides resources to the legal entities (which are the decision making bodies) within the Partnership. (Note that this option is not a single merged entity, which is not considered workable given government's required assurance constraints).

The virtual team option (3) was identified as the best fit for Buckinghamshire. Correspondingly the Sub Group has worked on a framework that would enable efficient and effective unified economic development delivery service.

5 **Next Steps**

The immediate imperative is to establish the LEP as a company before the end of March 2019. **Appendix 1** sets out the draft Articles of Association. Given time constraints the articles have been designed to simplify the initial process and to allow maximum future flexibility via the existing assurance and accountability framework. **Appendix 2** sets out the further steps by which the incorporated LEP beds into the Buckinghamshire system.

All current LEP board members will be invited into the membership of the new company but to comply with LEP Review requirements an inception meeting is to be held before the end of March. For practical reasons the company will therefore launch with up to two directors. The majority of detailing work including memorandum of understanding with the Accountable Body and organisational matters will be determined throughout the year guided by full membership director participation.

6 **Recommendation**

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