

LEAD MEMBER FOR STRATEGIC MANAGEMENT AND ECONOMIC DEVELOPMENT

DECISIONS made by the Lead Member for Strategic Management and Economic Development, Councillor Keith Glazier, on 11 February 2020 at County Hall, Lewes

Councillor Simmons spoke on item 4 (see minute 11)

8 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 12 NOVEMBER 2019

8.1 The Lead Member approved as a correct record the minutes of the meeting held on 12 November 2019.

9 DISCLOSURE OF INTERESTS

9.1 Councillor Glazier declared a personal interest in item 4 as the current representative of SELEP, but he did not consider this to be prejudicial.

10 REPORTS

10.1 Reports referred to in the minutes below are contained in the minute book.

11 SELEP LEGAL PERSONALITY

11.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

11.2 The Lead Member RESOLVED to (1) Agree to East Sussex County Council (ESCC) continuing its role as a partner in and a member of the South East Local Enterprise Partnership (SELEP) after it becomes a Private Company Limited by Guarantee (SELEP Ltd), the terms of which are set out in the new SELEP Articles of Association (Appendix 1);

(2) Agree that ESCC enters into a new partnership agreement – termed the SELEP Framework Agreement (Appendix 2) – between SELEP Ltd and the six upper-tier authorities that comprise SELEP, noting that the existing Joint Committee Agreement (governing the SELEP Accountability Board) has been updated and is included within the new SELEP Framework Agreement;

(3) Confirm that the Leader of the County Council will continue to be the ESCC representative on SELEP subject to confirmation by the Governance Committee and will take up the appointment of Company Director of SELEP Ltd, as per the new membership arrangements described in the SELEP Articles of Association;

(4) Confirm that subject to confirmation by the Governance Committee the Leader of the County Council will continue to be the formal voting representative of ESCC at SELEP Strategic Board meetings and at SELEP Accountability Board meetings;

(5) Delegate authority to the ESCC Monitoring Officer to sign the SELEP Framework Agreement on behalf of ESCC; and

(6) Delegate further authority to the ESCC Monitoring Officer, in consultation with the Leader of the County Council and the Director of Communities, Economy and Transport, to enter into any additional legal agreements or contracts as required to implement the above decisions.

Reasons

11.3 SELEP is required by Government to adopt a new legal personality from April 2020. This was one of the principle requirements of the 2018 LEP Review so is absolutely necessary in order for SELEP to continue receiving its core funding from Government, as well as other annual programme funds (including Local Growth Fund monies).

11.4 The approach taken by SELEP has been developed in consultation with the government's Ministry of Housing, Communities and Local Government (MHCLG) and the Department for Business, Energy and Industrial Strategy (BEIS) who are happy with the proposals. The recommendations in this report have been developed in consultation with all six upper-tier authorities of SELEP. The County Council has been fully engaged in this process from the outset, with the Leader of the County Council sitting on the legal personality subgroup.

11.5 The two key documents – SELEP Articles of Association and SELEP Framework Agreement – have been reviewed by County Council officers in the Economic Development and Legal Services teams, providing recommendations to the County Council's Monitoring Officer who in turn provided detailed feedback to SELEP on the draft versions of the documents, and subsequently gave their endorsement to the final versions.

12 EXCLUSION OF PUBLIC AND PRESS

12.1 It was RESOLVED to exclude the public and press for the remaining agenda items on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraph 5 of Part 1 of the Local Government Act 1972 (as amended), namely information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

13 SELEP LEGAL PERSONALITY - EXEMPT INFORMATION

13.1 The Lead Member considered a report by the Director of Communities, Economy and Transport, which provided exempt information in support of an earlier agenda item.

13.2 The Lead Member RESOLVED to note the information.