

## WHITBY TOWN DEAL BOARD

**DATE:** WEDNESDAY 26<sup>TH</sup> FEBRUARY 2020

**TIME:** 2PM UNTIL 4PM

**VENUE:** WHITBY PAVILION, WEST CLIFF, WHITBY, YO21 3EN

### AGENDA

#### 1. APOLOGIES

- Robert Goodwill MP
- Rosie Du Rose, Beyond Housing
- Mel Bonney-Kane, CAVCA
- Barry Harland, Whitby Seafoods

#### 2. MINUTES OF LAST MEETING AND MATTERS ARISING

- Communications
- Board Membership

#### 3. REGISTER OF INTERESTS

#### 4. TERMS OF REFERENCE AND CODE OF CONDUCT

#### 5. ELECTION OF DEPUTY CHAIR

#### 6. UPDATE ON VISIONING SESSION HELD ON MONDAY 24<sup>TH</sup> FEBRUARY 2020

#### 7. WORK PROGRAMME

#### 8. AOB

#### 9. MEETING SCHEDULE

- 9:30am Friday 27<sup>th</sup> March 2020 @ Green Lane Centre
- 2pm Friday 24<sup>th</sup> April 2020 @ Green Lane Centre
- 10am Friday 22<sup>nd</sup> May 2020 @ Green Lane Centre
- Proposed – Friday 19<sup>th</sup> June
- Proposed – Friday 17<sup>th</sup> July

# WHITBY TOWN DEAL BOARD

FRIDAY 17<sup>th</sup> JANUARY 2020

9.30am @ GREEN LANE CENTRE, WHITBY

## NOTES OF MEETING

### IN ATTENDANCE

Robert Goodwill MP <b>RG</b>	Mel Bonney-Kane <b>MBK</b> CAVCA
Cllr Steve Siddons <b>SS</b> SBC	Saul Walker <b>SW</b> Whitby Seafoods
Mike Greene <b>MG</b> SBC	Pam Dobson <b>PD</b> WTC
Alex Richards <b>AR</b> SBC	Cllr Linda Wild <b>LW</b> WTC
Rosie Du-Rose <b>RDR</b> Beyond Housing	David Rodwell <b>DR</b> Whitby Museum
Richard Flinton <b>RF</b> NYCC	James Farrar <b>JF</b> YNYER LEP
Gareth Edmunds <b>GE</b> Sirius Minerals	Paul Fellows <b>PF</b> NYMNP
Ian Vasey <b>IV</b> Port Authority SBC	Kerry Levitt <b>KLV</b> SBC
Dr John Field <b>JFi</b> Whitby Civic Society	

### APOLOGIES

Richard Bradley, SBC  
Peter Campey, MHCLG  
Trevor Mitchell, Historic England  
Barry Harland, Whitby Seafoods

### SUMMARY OF ACTIONS

1. AR/KLV to circulate Nolan Principles to Board members with the minutes
2. AR/KLV to circulate draft Terms of Reference and Code of Conduct documents ahead of the next meeting
3. AR/KLV to circulate presentation slides with the minutes
4. KLV to liaise with the Chair to set a schedule of meetings for the coming months
5. AR/KLV to invite representatives from Further Education, Small Business sector and the Environment Agency to attend Board meetings
6. RG to discuss with the Secretary of State for HCLG and look to arrange an early visit to the Borough to either Whitby or Scarborough
7. AR/KLV – to organise a workshop with an external facilitator to identify the Key Themes for the Investment Plan

8. **ALL** – to identify stakeholder groups and the best way to engage with them
9. **ALL** – to nominate suitable Officers/members of staff that could sit on a project team/s to support AR and the SBC team once key themes have been identified
10. **ALL** – AR to arrange visits to stakeholder group meetings over the coming weeks to present information on the Towns Fund if organisations require
11. AR/KLV to circulate details on the #mytown campaign
12. AR/KLV to pull together a paper outlining all of the current investments and the Strategies in the Borough.
13. KLV – to look into a communication tool for the group to use such as a What's App group

Round table introductions.

## **1. Town Deals and the Town Deal Board**

AR gave a presentation to the Board on the Towns Fund, the Town Deal process and what is required for each town of Scarborough and Whitby. The slides from the presentation will be circulated with the minutes.

AR informed the Board that central Government have set a number of conditions for the operation of the Board, these include;

- Members adhering to the Nolan Principles – these will be circulated with the minutes
- The Board must have published Terms of Reference and Code of Conduct documents – draft documents will be circulated prior to the next meeting for comment and signed off at the next Board meeting
- Conflicts of Interests must be declared at meetings.

### Comments received in response to ARs presentation

RF – the Board needs to identify what investment is currently being delivered in the Borough from other agencies such as the Environment Agency, heritage investment and transport investment to paint a bigger picture of the current level of investment.

RDR – a % of homes in the Borough are 2<sup>nd</sup> homes – need to look at how this impacts on the statistics reported of above average home ownership in the Borough because this may not be an accurate statistic for those that live in the Borough.

SS – need to consider emerging devolution plans.

JF – the Board should focus on what can or needs to be done to change the negative (red) indicators of deprivation to positive (green) indicators and how the

Towns Fund money can assist with this rather than just coming up with ideas on how to spend £25m. This funding is only one element of a Strategic long term plan for investment in the town.

MG – cultural arts and the creative and digital sectors will have a big part to play in the regeneration of the area.

## **2. Election of Chair of the Board**

AR advised the Board that the recommendation from Government is that the Chair of the Board is from the private sector.

GE put himself forward for the position of Chair of the Board. Seconded by RG.

The Board agreed to appoint GE Chair of the Whitby Town Deal Board.

## **3. Ideas and emerging thoughts**

JF – A visual representation of Whitby is needed. What assets does the town currently have and what investment is currently taking place? PF – it would be interesting to see how people who live outside Whitby view the town.

RDR – the Board needs a clear steer and vision. The ToFR need agreeing and a schedule needs to be set up. GE – draft Terms of Ref will be circulated before the next meeting.

RG informed the Board that central Government is keen to relocate services and departments out of London. Scarborough and Whitby are both attractive towns and could be marketed as a possible relocation destination. RG has been conversing already with the Secretary of State for HCLG and the Board could invite him along for an early visit to either Whitby or Scarborough.

MG/RF – need to carry out a piece of work quickly to highlight work themes. A workshop session facilitated by an external body to identify 4-5 headline themes. Following this project teams can be established with technical officers/staff. Board members to nominate team members that are available to sit on the project boards and assist with the process.

PD – Transport is a big issue, especially parking in the summer. There is little opportunity for jobs and wages are poor. Whitby is known as a cultural and heritage centre from around the world – this needs to be enhanced. Whitby offers a slower pace of life than a city.

#### **4. Wider stakeholder engagement**

AR asked the Board if they felt any sectors were missing from the Board and needed to be included. Suggestions put forward included further education, small business sector and the Environment Agency.

The Regeneration Team and the capital funding received is to support the work of the Board. It is proposed that consultants are appointed to engage with the community and stakeholders and prepare the Investment Plan document.

MBK – the Board needs to look at more creative ways of consultation to engage with the community.

PD offered to get all Whitby Town Councillors together for a workshop session to feed in ideas. IV – The Harbour Consultation Group meets on Monday (20<sup>th</sup>) which could be an opportunity to inform them of the Towns Fund. AR agreed to spend the next few weeks visiting various community group/stakeholder meetings to update them on the Towns Fund.

MG – it may also be worthwhile to look back at old consultations and pull together some ideas from existing consultations instead of repeating them and asking the same questions.

Set up a facilitator workshop session to agree the themes the Board need to concentrate on. A series of workshops with wider stakeholders can then be arranged based on the themes identified.

Everyone on the Board needs to identify stakeholder groups and best way to engage.

#### **5. Meeting schedule**

Meetings will take monthly. Dates to be circulated in line with the Chairs availability.

#### **6. AOB**

SS suggested a digital group such as What's App is created to help with ease of communication between members. SBC to investigate.

AR – an existing social media campaign has been set up by central Government for the Towns Fund using #mytown. Any press/media releases must include this hashtag and specific guidelines followed. These will be circulated with the minutes. If the Board require further social media presence than already established for Scarborough and Whitby this can be discussed at the next meeting

RR suggested Officers from other LAs that have already been through the process be invited along to a Board meeting to share their knowledge and expertise. MG - Grimsby and Calderdale have already been through the process so they could be approached for sharing advice or invited to a future meeting.

RF requested if a Civil Servant could be invited to the Board meetings. AR informed the Board that Peter Campey from MHCLG was invited but was unable to make it.

The Board agreed that the need for urgency to progress actions and the work plan was required because the time available to pull together the required Investment Plan by September 2020 is very limited.

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# WHITBY TOWN DEAL BOARD

## BOARD MEMBERSHIP

- ✚ **CHAIR: GARETH EDMUNDS** | EXTERNAL AFFAIRS DIRECTOR | SIRIUS MINERALS
- ✚ **CLLR STEVE SIDDONS** | LEADER | SCARBOROUGH BOROUGH COUNCIL
- ✚ **MIKE GREENE** | CHIEF EXECUTIVE | SCARBOROUGH BOROUGH COUNCIL
- ✚ **ROBERT GOODWILL MP**
- ✚ **RICHARD FLINTON** | CHIEF EXECUTIVE | NORTH YORKSHIRE COUNTY COUNCIL
- ✚ **JAMES FARRAR** | CHIEF OPERATING OFFICER | YORK, NORTH YORKSHIRE & EAST RIDING LOCAL ENTERPRISE PARTNERSHIP
- ✚ **MEL BONNEY-KANE** | CHIEF EXECUTIVE | COAST AND VALE COMMUNITY ACTION
- ✚ **ROSIE DUROSE** | CHIEF EXECUTIVE | BEYOND HOUSING
- ✚ **BARRY HARLAND** | HEAD OF RESPONSIBLE BUSINESS | WHITBY SEAFOODS
- ✚ **DR JOHN FIELD** | CHAIR | WHITBY CIVIC SOCIETY
- ✚ **PAUL FELLOWS** | HEAD OF STRATEGIC POLICY | NORTH YORK MOORS NATIONAL PARK AUTHORITY
- ✚ **IAN VASEY** | HARBOUR MASTER | PORT AUTHORITY
- ✚ **DAVID RODWELL** | WHITBY LITERARY & PHILOSOPHICAL SOCIETY
- ✚ **TREVOR MITCHELL** | HISTORIC ENGLAND
- ✚ **SIMON BEAN** | TERRITORY MANAGER | ENGLISH HERITAGE
- ✚ **CLLR LINDA WILD** | TOWN MAYOR | WHITBY TOWN COUNCIL
- ✚ **PAM DOBSON** | CLERK | WHITBY TOWN COUNCIL
- ✚ **CLLR JOHN CUMMINS** | HAWSKER CUM STAINSACRE PARISH COUNCIL

## WHITBY TOWN DEAL BOARD

### REGISTER OF INTERESTS

Each member shall review their individual Register of Interests before each Board meeting and, where applicable, submit any necessary revisions to the Secretary of the Board at the start of the meeting.

Even if a meeting has not taken place a member must within 28days of becoming aware of any change to the interests specified below, provide written notification to the Secretary of the Board of that change.

SECTION 1	ANY EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION CARRIED OUT FOR PROFIT OR GAIN	DECLARATION
1.1	NAME OF; <ul style="list-style-type: none"> <li>• Your employer</li> <li>• Any business carried out by you</li> <li>• Any other role in which you receive remuneration (this includes remunerated roles such as Cllrs)</li> </ul>	
1.2	Description of Employment or business activity	
1.3	The name of any firm in which you are a partner	
1.4	The name of any company for which you are a remunerated Director	
SECTION 2	CONTRACTS	DECLARATION
2.1	Any contract for goods, works or services which has not been fully discharged by any organisation named at 1.1	
2.2	Any contract for goods, works or services entered into by any organisation named at 1.1 where either party is likely to have a commercial interest in the outcome of the business being decided by the Whitby Town Deal Board (WTDB) in the forthcoming meeting.	

<b>SECTION 3</b>	<b>LAND OR PROPERTY</b>	<b>DECLARATION</b>
3.1	<p>Any beneficial interest you or any organisation listed at 1.1 may have in land or property which is likely to be affected by a decision made by the WTDB in the forthcoming meeting.</p> <p>This would include, within the area of the WTDB, any beneficial interest in any land including your place(s) of residency.</p> <p>For property interests, please state the first part of the postcode and the local authority where the property resides. If you own/lease more than one property in a single postcode area, please state this.</p>	
<b>SECTION 4</b>	<b>SECURITIES</b>	<b>DECLARATION</b>
4.1	<p>Any interest in securities of an organisation in 1.1. where:-</p> <p>A) That body (to your knowledge) has a place of business or land in the area of the WTDB; and</p> <p>B) Either –</p> <p>(i) The total nominal value of the securities exceeds £25,000 or 1/100<sup>th</sup> of the total issued share capital of that body; or</p> <p>(ii) If the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which has a beneficial interest exceeds 1/100<sup>th</sup> of the total issued share capital of that class</p>	
<b>SECTION 5</b>	<b>GIFTS AND HOSPITALITY</b>	<b>DECLARATION</b>
5.1	<p>Any gifts and/or hospitality received as a result of Membership of the WTDB (above the value of £25)</p>	

**OTHER INTERESTS**

## Membership of Organisations

I am a member of, or I am in a position of general control, a trustee of or participate in the management of:-

1. Any Body exercising functions of a public nature (e.g. school governing body):
2. Any Body directed to charitable purposes:
3. Any Body, one of whose principal purposes include the influence of public opinion or policy (including any political party or trade union):
4. Any Local Authority (please state any interests you hold as LA Leaders / Cabinet Members, LA land, resources and the LAs commercial interests):
5. Any other interest which I hold which might reasonably be likely to be perceived as affecting my conduct or influencing my actions in relation to my role on the WTDB:

**WTDB MEMBER'S DECLARATION AND SIGNATURE**

I confirm that having carried out reasonable investigation, the information given above is a true and accurate record of my relevant interest, given in good faith and to the best of my knowledge:-

DATE	
MEMBER'S NAME	
ORGANISATION / COMPANY	
SIGNATURE	

**RECEIPT BY WTDB DELIVERY TEAM**

DATE RECEIVED	
SIGNATURE OF THE WTDB CHAIR	

# WHITBY TOWN DEAL BOARD

## TERMS OF REFERENCE

The Whitby Town Deal Board (WTDB) is not a formally constituted body and shall hold no monies or assets.

### 1. DUTIES AND TERMS OF REFERENCE / ROLE OF THE BOARD

- 1.1 The WTDB is a strategic body created as a vehicle following Whitby being identified as a Town that may benefit from the Governments £3.6bn Towns Fund. The WTDB brings together the private, public and voluntary sectors to provide strategic leadership to develop and deliver an Investment Plan and schedule of interventions to secure government funding, and which sets out a clear understanding of the area, focusing on its assets, opportunities and challenges. It will be the vehicle through which the vision and strategy for Whitby is defined. The Strategy should align with the rest of the Borough and the local economic region.

The WTDB will provide strategic insight on the challenges and opportunities facing the area by:

- a) Championing the WTDB economic vision and promote bold, deliverable interventions that will define the Investment Plan;
- b) Communicating with the business community and residents around economic growth and delivery of the interventions;
- c) Sharing knowledge practice and intelligence within the WTDB area and beyond, both regionally and nationally, and;
- d) Proposing allocation of resources to deliver economic growth, secure finance and encourage local and national bodies to match resources to achieve the WTDB's ambitions.

- 1.2 The Board shall:

- a) Develop and oversee the delivery of an evidence based Investment Plan.
- b) Co-ordinate public, private and third sector activity to develop and deliver the interventions in using the framework of the Towns Fund Prospectus and any further guidance that may be issued.
- c) To have regard to the three strands of the Prospectus and develop the interventions and maximise the impact of those interventions;

- (i) Urban Regeneration, planning and land use

(ii) Skills and Enterprise infrastructure

(iii) Connectivity

Schedule 1 sets out how stakeholders will be engaged through development of these themes. – will need to delete unless we develop a stakeholder engagement document. Need to identify themes for the Whitby Board.

a. Promote Whitby as a prime location for inward investment, international trade and to proactively help more locally based companies export their goods and services.

b. Actively promote equality and diversity to ensure a strong gender balance.

c. Respond to opportunities that arise from government initiatives to support economic development within Whitby.

d. Support the localisation agenda by negotiating freedoms and flexibilities with government on actions which encourage more local devolution and accountability.

e. Co-ordinate and influence government and others on matters that benefit the economy.

f. Attend public consultation events

g. Attend events to promote the WTDB Investment Plan and emerging interventions.

1.3 The role of the Board is to:

- Develop and agree an evidenced based Town Investment Plan
- Develop a clear programme of interventions
- Co-ordinate resources and engage stakeholders

1.4 The Board Shall:

Delegate to the Chairman of the Board the authority to make urgent decisions, having consulted by way of email with Board members, where a Board cannot be convened in a timely manner to consider a matter.

The decision shall be published as soon as practically possible once taken.

## 2 MEMBERSHIP

- 2.1 The members of the Board shall be appointed by the Board and may be removed at any time by the Board.
- 2.2 The WTDB must comprise of representatives of;
- (a) All tiers of local government
  - (b) The Member of Parliament for the constituency including Whitby Town
  - (c) Local Business and Investors
  - (d) The York, North Yorkshire and East Riding Local Enterprise Partnership
  - (e) Communities
- 2.3 The WTDB may also comprise of representatives from;
- (a) Anchor institutions such as;
    - Universities and Further Education providers
    - Academies and Schools
    - the NHS
    - Development Corporations
    - Local Sports Teams
    - Cultural and Creative Organisations
    - Housing Sector, including developers and housing associations
  - (b) Arm's length bodies and other non - departmental agencies such as, but not exhaustively;
    - Homes England
    - Environment Agency
    - Historic England
  - (c) Other private sector representatives and developers who operate on a national and international platforms who understand the requirements for investment and can help identify the best use of private and public funds. The Board will engage with national or international private investors and developers to understand their requirements for investment and identify the best use of public and private funding
- 2.4 Applications for new Board Members shall be determined by the Board at any time.

- 2.5 A Board Member shall cease to be a member of the WTDB in the following circumstances;
- a) Such Board Member gives written notice to the Chair of their notice of resignation;
  - b) Such Board Member's death;
  - c) Such Board Member's bankruptcy making of any arrangement or composition with their creditors, or liquidation, or in the case of an organisation, winding up, liquidation, dissolution or administration or anything analogous to any of the foregoing occurring in relation to a Member in any jurisdiction;
  - d) Such Board Member is removed from membership by a resolution of the Board that it is in the best interests of the Board that the membership is terminated.
- 2.6 Board Members may be removed from the WTDB as set out in Appendix 1 (Whitby Town Deal Board Code of Conduct). Any Board Member removed may not be reappointed.

### **3 THE CHAIR AND DEPUTY CHAIR**

- 3.1 The Board shall appoint the Chair and Deputy Chair.
- 3.2 In the absence of the Chair, the Deputy Chair will assume the responsibilities of the Chair.
- 3.3 In the absence of both the Chair and Deputy Chair at a formal meeting of the WTDB, those present for the meeting of the Board will vote and appoint a Chair for that meeting only.
- 3.4 The WTDB Delivery Team (see 4.2) will consult the Chair from time to time on progress of works required to be undertaken on individual interventions and the developing Investment Plan.
- 3.5 The Chair may convene an informal meeting of all or some of the Board Members to inform progress of a particular matter arising under the development of individual interventions.
- 3.6 The Chair may meet third parties and attend events on any matter pertaining to the Investment Plan and individual interventions to progress activity and outcomes.

#### **4 ADMINISTRATION OF THE BOARD**

- 4.1 Scarborough Borough Council shall provide secretarial and administrative support to underpin the work of the WTDB.
- 4.2 The role of the Whitby Town Deal Board Delivery team will be to facilitate and manage the work plan of the WTDB. The WTDB Delivery Team will consist of Officers of SBC and where appropriate external consultants and professional service providers, officers and staff of partner agencies.

#### **5 SUBSTITUTES**

- 5.1 Suitable substitutes representing Board members are permissible subject to prior agreement with the Chair.

#### **6 ATTENDANCE AT MEETINGS**

- 6.1 The Board will meet monthly until submission of the Investment Plan and thereafter quarterly. The Board may meet at other times during the year as agreed between the members of the Board and may approve recommendations via written procedure.
- 6.2 Informal Board Meetings may take place from time to time. Other persons and external advisers may be invited to attend all or part of any meeting as and when appropriate as observers and shall be entitled to speak at the meeting with the prior permission of the Chair but shall not be entitled to vote.
- 6.3 With the prior agreement of the Chair, any Board Member may participate in a meeting by means of a conference telephone or similar communications equipment whereby all persons participating in the meeting can communicate with each other and participation in a meeting in this manner shall be deemed to constitute presence in person at such meeting and shall be entitled to vote and be counted in a quorum accordingly.

#### **7 NOTICE OF MEETINGS**

- 7.1 Meetings of the Board shall be called by the secretary to the WTDB at the request of the Chair of the Board. The agenda and papers for meetings shall be approved by the Chair.
- 7.2 Unless otherwise agreed, notice of each meeting confirming the venue, time and date together with an agenda of the matters to be discussed at the meeting shall be forwarded to each member and any other person required to attend no

later than 3 business days before the date of the meeting. Any supporting reports and/or papers shall be sent to each member of the Board and other attendees (as appropriate) at the same time and minutes published on Scarborough Borough Council's website. **Need to create webpages**

- 7.3 The agenda and reports (that are not exempt under legislative arrangements) shall be published on Scarborough Borough Council's website.
- 7.4 There will be occasions when the business of the meeting will be subject to confidentiality for reasons of commercial confidentiality or sensitivity, information provided by the government in confidence, information pertaining to individuals or third party information that is subject to common law duty of confidentiality.

## **8 QUORUM**

- 8.1 A quorum shall be 5 Board Members present in person.
- 8.2 Where a decision must be taken under the provisions of 2.3 and 10.5 there must be a quorum of 5 in responses received from Board Members.

## **9 DECLARATION OF INTEREST**

- 9.1 Arrangements for declarations of interest are found within the WTDB Code of Conduct (Appendix 1).

## **10 VOTING ARRANGEMENTS**

- 10.1 Each member of the Board shall have one vote which may be cast on matters considered at the meeting by a show of hands. Votes can only be cast by members attending a meeting of the Board.
- 10.2 The general rule about decision-making by the Board is that any decision of the Board must be a majority decision at a meeting (or a decision taken in accordance with paragraph 2.3 and 10.5 of these Terms of Reference).
- 10.3 Where a conflict of interest exists as set out in the WTDB Code of Conduct, a Board Member may take part in the debate but may not vote.
- 10.4 Save where they have a personal interest, the Chair will have a casting vote. In this context, this refers to whoever is present and discharging the function of the Chair for the purpose of the meeting.

- 10.5 A resolution in writing, sent electronically to all Board Members entitled to receive notice of a meeting of the Board and signed by a majority of the members shall be valid and effectual as if it had been passed at a meeting of the Board duly convened and held and may consist of several documents in materially the same form each signed by one or more Board Member in the event a Board Meeting may not be convened in a timely manner.

## **11 COMMUNICATION AND REPORTING**

- 11.1 The proceedings and resolutions of meetings of the Board, including the names of those present and in attendance, shall be minuted by the secretary of the Board.
- 11.2 Minutes of meetings of the Board shall be approved in draft form by the Chair and disseminated to Board no later than ten working days following the meeting. Minutes shall remain in draft until approval by the Board at the Board's next meeting.
- 11.3 Approved minutes of the Board shall be published on the website of the Scarborough Borough Council, with the exception of minutes relating to items deemed confidential as set out in 7.4 above.
- 11.4 The Board shall produce an annual report about its activities.

## **12 THE BOARD'S RELATIONSHIP WITH SCARBOROUGH BOROUGH COUNCIL (SBC)**

- 12.1 The Board is responsible for;
- a) Developing and agreeing an evidenced based Town Investment Plan
  - b) Developing a clear programme of interventions
  - c) Coordinating resources and including stakeholders
- 12.2 SBC remains the accountable body for all monies received through capacity funding and any other funding that will be allocated throughout the Towns Fund
- 12.3 SBC will be represented on the Board by the Leader of the Council and / or The Chief Executive. They provide the link between the two bodies in the development of outcomes under those functions set out in 12.1.
- 12.4 The Board will be supported by the Whitby Town Deal Board Delivery Team, which will be in the employment of SBC.

- 12.5 The Board may from time to time be required to attend both formal and informal meetings of SBC to provide updates and information pertaining to the development of the Town Investment Plan, programme of interventions and stakeholder engagement.
- 12.6 SBC's Cabinet will receive reports on the progress of activities through its established quarterly performance monitoring.
- 12.7 The Board may make recommendations to the Cabinet of SBC from time to time and prior to the submission of the Town Investment Plan.

### **13 GENERAL MATTERS**

- 13.1 Board Members shall duly sign and return the WTDB's Code of Conduct (Appendix 1) and Declaration of Interests (Appendix 2) on an annual basis.
- 13.2 The Board will have access to officer resources in order to carry out its duties through the WTDB Delivery Team.
- 13.3 The Board shall be entitled to invite relevant third parties to attend any meeting of the Board as observers and they may be entitled to speak at a meeting of the Board with the prior permission of the Chair but shall not be entitled to vote.
- 13.4 The Board shall give due consideration to all laws and regulations as appropriate.
- 13.5 The Board will, from time to time, consider projects and proposals of a "commercial in confidence" or sensitive nature that will not be for publication under existing legislative provisions (Data Protection and Freedom of Information). All Board Directors and invited third parties will observe the need for confidentiality in this respect. 8
- 13.6 The WTDB will be subject to the privacy legislation contained within Data Protection Act 2018, Freedom of Information Act 1998 and the Environmental Protection Regulations (various). Such requests will be serviced by SBC in accordance with SBC policies and procedures.
- 13.7 Members of the public may wish to contact the WTDB. Any such contact will be managed by the WTDB Delivery Team and contact details will be published on Scarborough Borough Council website.

The Delivery Team may where appropriate, engage with the Chair and/or wider Board.

**14 REVIEW**

- 14.1 The Government may publish further guidance on the operation and function of Town Deal Boards and these Terms of Reference must be reviewed in accordance with any such guidance.
- 14.2 The Board may amend these terms of reference at any time.

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# WHITBY TOWN DEAL BOARD

## CODE OF CONDUCT

The Whitby Town Deal Board (WTDB) has adopted this code setting out the expected behaviours required of its Board Members, acknowledging that they each have a responsibility to represent the ambition of the Town Deal for Whitby and work constructively with the Town Deal Delivery Team and partner organisations to develop and deliver the Town Board Investment Plan and associated activities. The Role of the WTDB is to;

- ✚ Develop and agree an evidenced based Town Investment Plan
- ✚ Develop a clear programme of interventions
- ✚ Coordinate resources and influence stakeholders

In accordance with the Towns Fund Prospectus, when acting in a Board Member capacity, members must be committed to behaving in a manner that is consistent with the Nolan principles to achieve best outcome for our residents and maintain public confidence in the actions of the Board;

### **Selflessness:**

Holders of public office should act solely in terms of the public interest.

### **Integrity:**

Holders of public office must avoid placing themselves under any obligation to outside individuals or organisations that might try inappropriately to influence them in their work.

They should not act or take decisions in order to gain financial or material benefits for themselves, their family or their friends. They must declare and resolve any interests and relationships.

### **Objectivity:**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**Accountability:**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to the scrutiny necessary to ensure this.

**Openness:**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**Honesty:**

Holders of public office should be truthful.

**Leadership:**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

**CONFLICT OF INTERESTS**

Having regard to the nature of the likely interventions that will be explored as part of development of the Investment Plan, from time to time a conflict of interest may arise for Board Members.

A conflict of interest arises where a Board Member, a close associate, immediate family, business, organisation or employer has an interest in a matter which is the same as, connected to or may be affected by the matter under discussion.

At a meeting, Members must declare any interest which they have in any matter to be considered at that meeting. If the interest in the matter being discussed which a member of the public who knew of the facts would reasonably regard as so significant that it is likely to prejudice the Board Members judgement of the Board's interest in the matter, then the Board Member must declare the interest at the start of the agenda item and must not vote on the matter. However, due to the nature of information the Board Member may have relating to the topic under discussion, such as financial, viability, feasibility and volume by way of example, the Board Member will be able to take part in the debate.

A Register of Interest will be maintained by the Secretary to the Board.

## **REGISTRATION OF GIFTS AND HOSPITALITY**

Board Members must register in the Register of Members Gifts and Hospitality, held by Scarborough Borough Council's Monitoring Officer any gift or hospitality worth £25 or over received (or offered), in connection with their official duties as a Board Member and the source of that gift or hospitality (or offer) within 28 days of receiving it.

Acceptance by Board Members of hospitality through attendance at relevant events, conferences and other Board related activity is acceptable where it is clear the hospitality is corporate rather than personal.

## **COMPLAINTS**

Where a person has reason to believe that the conduct of a Board Member of the WTDB has fallen short of the standards set out above, encapsulated in the Nolan Principles, a complaint may be made in writing to;

The Chief Executive  
Scarborough Borough Council  
Town Hall St Nicholas Street  
Scarborough,  
YO11 2HG  
Or email [mike.greene@scarborough.gov.uk](mailto:mike.greene@scarborough.gov.uk)

The complaint should set out as follows;

- (i) The nature of the complaint
- (ii) Details of how the Board Member was acting in an official WTDB capacity
- (iii) Details of which Nolan Principle has been breached and why
- (iv) If relating to a conflict of interest, details of how the conflict has occurred and impact of that conflict.

The Chief Executive will review the complaint and determine if the WTDB Member was acting in an official capacity and if the complaint was proven, whether a Nolan Principle would have been breached. If both these criteria are met, the complaint will be referred to the Chair of the WTDB.

## **REMOVAL OF A WTDB MEMBER FROM THE BOARD**

In the event a WTDB Member's conduct falls short of that expected and a breach of the

Code of Conduct has taken place, the Board may by resolution remove that Board Member from the WTDB.

This may only occur when;

(i) The Board Member has been given at least 14 days clear days' notice in writing of the meeting of the Board at which the resolution will be proposed and the reasons why it will be proposed; and

(ii) The Board Member has been given a reasonable opportunity to make representations to the meeting in person and/or in writing. The other Board

Members must consider any representations made by the Board Member and inform them of their decision following such consideration.

(iii) There shall be no right of appeal from a decision of the Board's decision to terminate the membership of a Board Member.

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