

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

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 and support equality and diversity to ensure the needs and aspirations of all, regardless of age, sex, gender identity, disability, sexual orientation, race, socio-economic group, religion or belief, physical abilities, or learning abilities, or any other characteristic are met..

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 Town 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 Chair 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 5 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.
- 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.