

# Crawley Borough Council

Report to Full Council  
18 October 2017

## Proposal for Crawley Borough Council to join the Greater Brighton Economic Board

Report of the Head of Economic & Environmental Services  
PES/260

### 1. Purpose

- 1.1 This report seeks formal approval from Full Council for Crawley Borough Council (CBC) to become a member of the Greater Brighton Economic Board (“the Board”).

### 2. Recommendations

#### 2.1 That Full Council:

- **Agrees that Crawley Borough Council (CBC) becomes a constituent member of the Greater Brighton Economic Board (“the Board”) joining the Greater Brighton Economic Joint Committee (GBEJC).**
- **Agrees that the Leader of the Council will represent the Council on the Board or a substitute on the Leader’s behalf, as set out in section 9.4 of this report.**
- **Notes that CBC joining the Board is also subject to approval by all the local authorities represented on the Board in addition to a formal decision by the Board.**
- **Notes the invitation of Gatwick Airport Limited also to join the Board.**

### 3. Reasons for Recommendations

- 3.1 To enable Crawley Borough Council to become a member of the Board and so gain access to the benefits of Board membership as set out in Sections 5 and 6 of this report.

### 4. Background

- 4.1 The Greater Brighton Economic Board (“the Board”) has resolved to invite Crawley Borough Council to become a constituent member of the Board and to join the Greater Brighton Economic Joint Committee (GBEJC).
- 4.2 The Board comprises the Greater Brighton Economic Joint Committee, consisting of local authority representatives; and the Greater Brighton Business Partnership (“GBBP”), on which the Coast to Capital Local Enterprise Partnership, business, universities, further education and South Downs National Park are represented. Board meetings are in effect concurrent meetings of the GBEJC and GBBP.
- 4.3 The Greater Brighton Economic Board was founded in April 2014 as part of the Greater Brighton City region’s City Deal with Government.
- 4.4 The following bodies are members of the Board:

- i. Brighton & Hove City Council
- ii. Adur District Council
- iii. Worthing Borough Council
- iv. Lewes District Council
- v. Mid-Sussex District Council
- vi. University of Sussex
- vii. University of Brighton
- viii. Further Education Representative
- ix. Coast to Capital Local Enterprise Partnership
- x. Brighton & Hove Economic Partnership
- xi. Adur & Worthing Business Partnership
- xii. Coastal West Sussex Partnership
- xiii. South Downs National Park Authority

4.5 The GBEJC comprises the bodies specified in paragraphs 4.4(i) to (v); and GBBP comprises the bodies specified in paragraphs 4.4 (vi) to (xiii).

## **5. Aims and Objectives of the Greater Brighton Economic Board**

5.1 The functions of the Board are as follows:

- i. To make long term strategic decisions concerning regional economic development and growth;
- ii. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
- iii. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a co-ordinated approach to economic growth across the Region;
- iv. To secure funding and investment for the Region;
- v. To ensure delivery of, and provide strategic direction for, major projects and work stream enabled by City Deal funding and devolution of powers;
- vi. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to the planning of sustainable development.
- vii. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes.

## **6. Information / Analysis in Support of the Recommendations**

6.1 Working in partnership, the Greater Brighton City Region has brought significant benefits to its partner Local Authorities and agencies. Together the partnership has secured around £150m of Growth Deal funding held by the Coast to Capital Local Enterprise Partnership over the last four years.

6.2 The London-Brighton Growth Corridor has been recognised as one of nine corridors in England that have been at the heart of growth over the last decade<sup>1</sup> and are likely to maintain a pivotal role in shaping growth in the future. The Corridor, which stretches along the Brighton Main Line and M23/A23 routes, creates key strategic linkages between Crawley, the Gatwick Diamond and Brighton & Hove.

<sup>1</sup> <http://www.grantthornton.co.uk/globalassets/1.-member-firms/united-kingdom/pdf/publication/2014/where-growth-happens-the-high-growth-index-of-places.pdf>

- 6.3 The inclusion of Crawley Borough Council on the Greater Brighton Economic Board presents the following related opportunities:
- 6.3.1 Enabling Crawley to work alongside Brighton & Hove, Gatwick Airport Ltd, the Coast to Capital LEP and other partners to define and then more powerfully articulate the economic growth benefits of the Gatwick Diamond and M23/A23 Corridor to London.
- 6.3.2 Bringing together two of the Coast to Capital Local Enterprise Partnership's economic 'power houses'. Crawley and Brighton & Hove generate over £4.5bn and £6.7bn GVA of economic output per annum respectively and the geographical area covered by the Greater Brighton Economic Board represents almost 811,000 people.
- 6.3.3 Enabling joint-work with Brighton & Hove and partners on strategic priorities, including;
- Articulating the economic case for continued investment in infrastructure, with an immediate focus on influencing and securing investment in the Brighton Main Line.
  - Developing a proactive Inward Investment and Trade strategy (encompassing supply chain development), to attract foreign investment, businesses and jobs, working with the Department for International Trade, the C2C LEP and West Sussex County Council.
  - Building a stronger strategic level influence with central government to push for transport infrastructure improvements to the "M23 corridor" and the Gatwick Diamond. Crawley's participation would also allow for an effective combination of political representation, linking also to West Sussex County Council, to lobby jointly to secure resources to invest in the strategic transport network and infrastructure.
  - Complementing the work of the West Sussex and Greater Brighton Strategic Planning Board in developing the Local Strategic Statement 3; a process to support better integration and alignment of strategic spatial and investment priorities. The aim is to deliver a spatial framework for the area that brings together in one place the housing and employment space required over the next ten years linked to the long term strategic infrastructure and other transport plans.
- 6.3.4 The Greater Brighton Economic Board may get access to dedicated government funding through the devolution process and via the City Deal – it is possible that Crawley could also access funding sources via this route to boost further levels of investment in Crawley's ongoing growth / regeneration.
- 6.3.5 The joint working with Greater Brighton offers real potential to renew and strengthen links with the University of Sussex and the University of Brighton as well as Greater Brighton's burgeoning creative and digital design industries, complementing Crawley College's priorities and enabling the development of much stronger links to Crawley's major business community and the building of new commercial relationships to stimulate job creation and growth.

## **7. Financial Implications**

- 7.1 Should Crawley Borough Council accept the invitation from the Greater Brighton Economic Board to join, then it would be required to pay a contribution of £17,478 in 2018-19, subject to:

- Confirmation by the Greater Brighton Economic Board
  - Approval of the 2018-19 budget for the GBEB by the Greater Brighton Economic Board
  - A bid to the Budget Advisory Group for the funding of the contribution to the Board in future years.
- 7.2 This contribution is apportioned based on the size of Crawley's working age population as a percentage of the total working population of the combined geographical area.
- 8. Greater Brighton Economic Board – Governance**
- 8.1 Appendix A sets out the current Heads of Terms of the Greater Brighton Economic Board, which would be updated if Crawley BC accepts the invitation to join.
- 9. Legal Implications**
- 9.1 The Greater Brighton Economic Joint Committee (GBEJC) is a joint committee established pursuant to section 102 of the Local Government Act 1972.
- 9.2 The Local Government Act 1972 and the Local Authorities Arrangements for the Discharge of Functions (England) Regulations 2012 require the constituent authorities of a joint committee to decide the membership of that committee and it is therefore necessary for each of the local authority members of the Board to decide whether Crawley Borough Council should become a member of the GBEJC.
- 9.3 The decision to join the Greater Brighton Economic Board through the GBEJC is one which must be taken by Full Council by virtue of section 102 of the Local Government Act 1972.
- 9.4 The Council shall be represented at the Board by the Leader of the Council or the Leader's nominated substitute, which can be either the Deputy Leader, the Cabinet portfolio holder for Planning and Economic Development or the Cabinet portfolio holder for Housing.
- 10. Equalities Implications**
- 10.1 There are no specific equalities implications arising out of this report.

Background Papers

None

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## **Appendix A: Heads of Terms, Greater Brighton Economic Board**

### **1. Establishment, Purpose and Form**

- 1.1. The Greater Brighton Economic Board (“The Board”) shall be established from the Commencement Date
- 1.2. The over-arching purpose of the board is to bring about sustainable economic development and growth across Greater Brighton (‘the City Region’). To achieve this, the principal role of the Board is to co-ordinate economic development activities and investment at the regional level.
- 1.3. The Board comprises the Greater Brighton Economic Joint Committee (“GBEJC”), on which the local authorities will be represented; and the Greater Brighton Business Partnership (“GBBP”), on which the Cost to Capital Local Enterprise Partnership, business, university and further education sectors will be separated.
- 1.4. Meetings of the Board comprise concurrent meetings of GBEJC and GBBP.
- 1.5. GBEJC shall be a joint committee appointed by two or more local authorities represented on the Board, in accordance with section 120(1)(b) of the Local Government Act 1972.
- 1.6. The Board may appoint one or more sub-committees.
- 1.7. For the two years starting with the Commencement Date, the lead authority for the Board shall be Brighton & Hove City Council (“BHCC”), whose functions in that capacity shall include the provision of scrutiny (see paragraph 4.3), management of the call-in and review process (see paragraph 8), and the support detailed in paragraph 12.
- 1.8. Unless the Board resolves otherwise, before the start of the third year following the Commencement Date, and every two years thereafter, the Board shall review the lead authority arrangements and, subject to paragraph 1.9, invite each of the local authorities represented on the Board to submit an expression of interest in fulfilling the role of lead authority for the subsequent two year period. The Board shall then instigate a procurement exercise to select the most appropriate authority for that role.
- 1.9. Notwithstanding the appointment of a successor lead authority pursuant to paragraph 1.8, the incumbent lead authority may retain such of their Accountable Body functions as are necessary to enable that local authority to comply with its on-going commitments and liabilities associated with its Accountable Body status.

### **2. Interpretation**

2.1. In these Heads of Terms –

- i. 'Commencement Date' means 1<sup>st</sup> April 2014.
- ii. 'City Region' means the area encompassing the administrative boundaries of BHCC, Adur District Council, Worthing Borough Council, Lewes District Council and Mid Sussex District Council as lie within the Coast to Capital Local Enterprise Partnership area; and 'regional' shall be construed accordingly;
- iii. 'economic development' shall bear its natural meaning but with particular emphasis given to :
  - Employment and skills;
  - Infrastructure and transport
  - Housing;
  - Utilisation of property assets;
  - Strategic planning;
  - Economic growth.
- iv. 'Accountable Body' means the local authority represented on the Board carrying out the function set out in paragraph 12.2.

### **3. Functions**

3.1. The Functions of the Board are specified in paragraph 3.2 below and may be exercised only in respect of the Region.

3.2. The functions referred to in paragraph 3.1 are as follows:

- i. To make long term strategic decisions concerning regional economic development and growth;
- ii. To be the external voice to Government and investors regarding the management of devolved powers and funds for regional economic growth;
- iii. To work with national, sub-national (in particular the Coast to Capital Local Enterprise Partnership) and local bodies to support a co-ordinated approach to economic growth across the region;
- iv. To secure funding and investment for the Region;
- v. To ensure delivery of, and provide strategic direction for, major projects and work stream enabled by City Deal funding and devolution of powers;
- vi. To enable those bodies to whom section 110 of the Localism Act 2011 applies to comply more effectively with their duty to co-operate in relation to planning of sustainable development.

- vii. To incur expenditure on matters relating to economic development where funds have been allocated directly to the Board for economic development purposes; and for the avoidance of doubt, no other expenditure shall be incurred unless due authority has been given by each body represented on the Board.

3.3. In discharging its function specified in paragraph 3.2 (Viii) above, the Board shall-

- i. (save in exceptional circumstances) seek to invest funding on the basis of-
  - a Proportionality, by reference to the economically active demographic of each administrative area within the city Region;
  - b Deliverability;
  - c Value for money and return on investment / cost benefit ratio; and
  - d Economic impact to the City Region as a whole.
- ii. Delegate implementation of that function to the lead authority, who shall also act as Accountable Body in relation to any matters failing within that function.

#### **4. Reporting and Accountability**

4.1. The Board shall submit an annual report to each of the bodies represented on the Board.

4.2. The Greater Brighton Officer Programme Board shall report to the Board and may refer matters to it for consideration and determination.

4.3. The work of the Board is subject to review by an ad hoc joint local authority scrutiny panel set up and managed by the lead authority.

#### **5. Membership**

5.1. The following bodies shall be members of the Board:

- i. Brighton & Hove City Council
- ii. Adur District Council
- iii. Worthing Borough Council
- iv. Lewes District Council
- v. Mid-Sussex District Council
- vi. University of Sussex
- vii. University of Brighton
- viii. Further Education Representative
- ix. Coast to Capital Local Enterprise Partnership
- x. Brighton & Hove Economic Partnership
- xi. Adur & Worthing Business Partnership



- xii. Coastal West Sussex Partnership
- xiii. South Downs National Park Authority

- 5.2. GBEJC shall comprise the bodies specified in paragraphs 5.1(i) to (v); and GBBP shall comprise the bodies specified in paragraphs 5(vi) to (xiii).
- 5.3. Each of the bodies listed in paragraph 5.1 shall be represented at the Board by one person , save that BHCC shall, by reason of it being a unitary authority, be represented by two persons (as further specified in paragraph 5.4).
- 5.4. Each local authority member shall be represented at the Board by its elected Leader and, in the case of BHCC, by its elected Leader and the Leader of the Opposition.
- 5.5. Each business sector member shall be represented at the Board by the Chairman of that member or by a person nominated by the Board of that member.
- 5.6. Each university member shall be represented by a Vice Chancellor or Pro Vice-Chancellor of that university or by a person nominated by that university member.
- 5.7. Each further education member shall be represented by its Principal or the Chair of its Governing Body or by a person nominated by that further education member.

## **6. Chair**

- 6.1. The Chair of GBEJC shall, by virtue of his/her democratic mandate, be Chair of the Board
- 6.2. If the Chair of GBEJC is unable to attend a Board meeting, the Board shall elect a substitute from its local authority member representatives provided that no such member representative attending in the capacity of a substitute shall be appointed as Chair of GBEJC / the Board.
- 6.3. The Chair of GBEJC for its first year of operation shall be the Leader of BHCC
- 6.4. Following GBEJC's first year in operation, its Chair shall rotate annually between its members, with the new Chair being appointed at the first meeting of the Board in the new municipal year.
- 6.5. GBEJC shall decide the order in which their members shall chair that body.

## **7. Voting**



- 7.1. Each person represents a member of GBEJC, and each person representing a member of the GBBP, shall be entitled to vote at their respective meetings.
- 7.2. Voting at each of the concurrent meetings of GBEJC and GBBP shall be by show of hands or, at the discretion of the chair, by any other means permitted by law, and voting outcomes reached at those meetings shall be on a simple majority of votes cast.
- 7.3. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the Chair of GBEJC shall have a casting vote.
- 7.4. Where voting at a meeting of GBEJC results in an equal number of votes cast in favour and against, the motion/proposal/recommendation under consideration shall fall in relation of GBBP.
- 7.5. Where the respective voting outcomes of GBEJC and GBBP are the same, that shall be taken as the agreed Board decision and the Board may pass a resolution accordingly.
- 7.6. Where the respective voting outcomes of GBEJC and GBBP differ, the Board –
- i. May not pass a resolution relating to that matter; and
  - ii. May refer the matter to the Chief Executive of the lead authority, who may consult with members of the Board or such other persons as are appropriate, with a view to achieving agreement on the matter between GBEJC and GBBP by discussion and negotiation.
- 7.7. Where, pursuant to paragraph 7.6(ii), agreement is reached the matter at issue shall be remitted to, and voted upon at, the next meeting of the Board.
- 7.8. Where, pursuant to paragraph 7.6(ii), no agreement is reached the motion/proposal/recommendation at issue shall fall.

## **8. Review of decision**

- 8.1. Decisions of the Board will be subject to call-in and review in the following circumstances:
- i. Where a local authority voted to agree a recommendation at a GBEJC meeting, but the decision of the Board was to agree the recommendation.
  - ii. Where a local authority voted against a recommendation at a GBEJC meeting, but the decision of the Board considered that the interests of the body they represent had been significantly prejudiced; or

- iii. Where any local authority represented on the Board considered that the interests of the body they represent had been significantly prejudiced; or
- iv. Where any local authority represented on the Board considered that the Board had made a decision beyond its scope of authority.

8.2. The procedure for Requesting, validation, and implementing a call-in and review is specified in Schedule 1.

8.3. Where a request for call-in is accepted, the Board decision to which it relates shall be stayed pending the outcome of the call-in

8.4. Following call-in, the panel convened to review a Board decision may refer the decision back to the Board for re-consideration. Following referral, the Board shall, either at its next scheduled meeting or at a special meeting called for the purpose, consider the panel's concerns over the original decision.

8.5. Having considered the panel's concerns, the Board may alter its original decision or re-affirm it. Paragraph 8.1 shall not apply to the Board's follow-up decision. In consequence, the latter decision may be implemented without further delay.

## **9. Substitution**

9.1. Subject to paragraph 9.2, where a representative of a member of the Board is unable to attend a Board meeting, a substitute representative of that member may attend, speak and vote, in their place for that meeting.

9.2. A substitute member must be appointed from a list of approved substitutes submitted by the respective member to the Board at the start of each municipal year.

## **10. Quorum**

10.1. No business shall be transacted at any meeting of the Board unless at least one third of all member bodies are present, and both GBEJC and GPBBP are quorate.

10.2. Quorum for GBEJC meetings shall be three member bodies.

10.3. Quorum for GBBP meetings shall be three member bodies.

## **11. Time and Venue of Meetings**

11.1. Ordinary meetings of the Board shall be convened by the lead authority and normally take place in the geographical area of that authority.

11.2. The Chair of the Board may call a special meeting of the Board at any time, subject to providing members with minimum notice of two working days.

## **12. Administrative, financial and legal support**

12.1. The lead authority shall provide the following support services to the Board:

- i. Administrative, as more particularly specified in the Memorandum of Understanding pursuant to paragraph 13;
- ii. Financial (including the Accountable body function specified in paragraph 12.2); and
- iii. Legal, comprising Monitoring Officer and Proper Officer functions in relation to GBEJC meetings.

12.2. The function of the Accountable Body is to take responsibility for the financial management and administration of external grants and funds provided to the Board, and of financial contributions by each member of the Board, as more particularly specified in the Memorandum of Understanding Pursuant to paragraph 13. In fulfilling its role as Accountable Body, the lead authority shall remain independent of the Board.

12.3. Other members of the Board shall contribute to the reasonable costs incurred by the lead authority in connection with the activities described in paragraphs 12.1 and 12.2, at such time and manner as the Memorandum of Understanding shall specify.

## **13. Memorandum of Understanding**

13.1. Members of the Board may enter into a memorandum of understanding setting out administrative and financial arrangements as between themselves relating to the functioning of the Board.

13.2. The memorandum may, in particular, provide for –

- i. Arrangements as to the financial contributions by each member towards the work of the Board, including:
  - a The process by which total financial contributions are calculated;
  - b The process for determining the contribution to be paid by each member;
  - c The dates on which contribution are payable;
  - d How the Accountable Body shall administer and account for such contributions;

- ii. Functions of the Accountable Body; and
- iii. The terms of reference for the Greater Brighton Officer Programme Board.

#### **14. Review and Variation of Heads of Terms**

- 14.1. The Board shall keep these Heads of Terms under review to ensure that the Board's purpose is given full effect.
- 14.2. These Heads of Terms may be varied only on a resolution of the Board to that effect, and subject to the approval of each body represented on the Board.