

Item 1.3: CONFIRMED Key Decision/Action Points from Board

D2N2 LOCAL ENTERPRISE PARTNERSHIP BOARD MEETING

Thursday 7 March, 2024

BioCity, Pennyfoot Street, Nottingham NG1 (and via Teams)

Chair Elizabeth Fagan CBE

Minutes Sally Hallam

Present and Apologies

D2N2 Board Members in Attendance

Dr Glenn Crocker MBE	Executive Director, The Pioneer Group
Cllr Chris Emmas-Williams	Leader, Amber Valley Borough Council
Tim Freeman	Deputy MD, Toyota Manufacturing UK
Cllr Keith Girling	Portfolio holder, Nottinghamshire County Council
Natasha Johnson	Director of Partnerships, Global Entrepreneurs UK
Scott Knowles	CEO, East Midlands Chamber
Cllr Matt Relf	Portfolio Holder, Ashfield District Council
Cllr Carolyn Renwick	Portfolio Holder, Derbyshire County Council
Becky Rix	Marketing Director, Roadgas
Viv Russell	Chair, Minerals Products Qualifications Council
Cllr Baggy Shanker	Leader, Derby City Council
Mandie Stravino OBE	Principal and CEO, Derby College Group
Tony Tinley	Regional Officer, Unite the Union
David Williams MBE	Deputy Chair D2N2 and Chair, Geldards

Apologies from Board Members

Cllr David Mellen	Leader, Nottingham City Council
Prof Edward Peck CBE	VC and President, Nottingham Trent University

Also in attendance

Wayne Bexton	Director Green Growth Investment and Assets, Nottinghamshire County Council
Katrina Crookdake	Area Lead Nottingham/Notts, DBT
Simon Gladwin	Executive Director Operations, Amber Valley BC
Nicki Jenkins	Director Economic Development and Property Division, Nottingham City Council

Chris Henning Executive Director Place, Derbyshire County Council
Sarah Wainwright Senior Finance Officer, Derbyshire County Council
Liz Wigley Area Lead Derby/Derbyshire, DBT

D2N2 Officer Support

Fiona Baker
Kiran Birring
Tom Goshawk
Lana Jay
Will Morlidge
Nicola Swaney

1.1 Welcome and Introductions

The Chair welcomed all to the meeting and recorded thanks to Board Member, Dr Glenn Crocker for kindly hosting the meeting.

1.2 Declarations of interest

The Chair reminded all Members that Declarations of Interest should be stated to be recorded where an interest arose.

Cllr Relf declared himself as a Mayoral candidate in the forthcoming election and took no part in decision-making in respect of item 2.3 on the future of D2N2.

David Williams declared his new role as business representative on the interim Board of the new EMCCA. In response to an invitation from the Chair to say a few words about it, he explained briefly that the role included assisting with assembling a business board for the new mayor, including advising on the makeup and structure of that board.

1.3 Minutes of last meeting and matters arising

The Minutes of the meeting on 7 December, 2023 were confirmed as a true record and matters arising were covered elsewhere on the agenda.

1.4 Inclusion Presentation

Board Member, Natasha Johnson took the group through a slide presentation updating the group on activity undertaken since the last Board meeting in relation to inclusion.

Natasha had been joined by Board Members, Tony Tinley and Becky Rix and a review had been undertaken of evidence from recent reports including D2N2's 2017 Inclusion Report and the 2023 Social Mobility Commission Report.

She asked Board consider next steps in respect of three matters:

1. Bringing together an Inclusion sub-group with a wider remit than before and set Terms of Reference.
2. Commissioning work to refresh the region's evidence base, providing statistics for use by the new EMCCA.
3. Working to ensure that inclusion would be driven by EMCCA as a key strategic theme.

A discussion took place.

Mandie Stravino spoke about the work of the Opportunity Area initiative in Derby, which had been created to address social mobility based on educational attainment. She indicated that she would be happy to provide practical input alongside other Board members over the proposed next steps.

Will Morlidge reported that the D2N2 universities were ready to support evidence-gathering once it was known from the new CA what inclusion questions were to be addressed.

Chris Henning confirmed that inclusive growth was being built into the plans for the new CA, referring particularly to the link between social inclusion and mobility and how to prevent future brain drain as people sought to progress their careers.

The Chair summarised the general conclusion that a new working group could be set up to review current and proposed evidence bases to ensure gaps around inclusion were plugged and duplication of effort was prevented, In particular it would need to work with the Combined Authority team and their working group on skills and education, which also had a remit on inclusion.

Board **AGREED** to convene an Inclusion working group comprising Natasha Johnson, Becky Rix, Tony Tinley and Mandie Stravino.

ACTION: Nicola to convene the first meeting.

2. Strategic Discussion Items

2.1 Chair's Report

Elizabeth Fagan introduced her report and referred Members to the detailed notes therein.

She drew attention to the summary results within the report of the deep dive into the impact of the Careers Hub over the past 18 months.

Lana Jay informed Members that D2N2 had been one of four areas selected to run the “Start Small, Dream Big” pilot for primary schools and it was hoped that this would be extended into 2025/26.

On plans and progress towards the UKREIIF event on 22 May, WM reported that all Mayoral candidates had been alerted to the planned East Midlands-wide presence of delegates including representatives from East Midlands DevCo, Freeport and the Mayor together in one place to engage with businesses.

Board **NOTED** the report.

2.2 EXEMPT Finance Update Report

Sarah Wainwright introduced her report, summarising income and expenditure for the final position for 2023/24 for the main LEP budgets.

Board **NOTED** the report.

Board **NOTED** the reclaim of £50,267.15 by the Department for Education (DfE) for the Wave 2 extension of the Skills Bootcamp programme.

Board **NOTED** the transfer of £556,402.29 to Nottinghamshire County Council (NCC), being the remaining balance of the Department for Transport (DfT) grant allocated to HS2 Toton work.

Cllr Renwick asked that consideration be given to funding the National Stone Centre project that had been assessed as the next most suitable project in the Economic Growth Fund assessment.

2.3 Future of D2N2

Will Morlidge spoke to his report on the future of D2N2, updating Board on the outcome of the LA Leaders’ meeting on 29 January 2024 and proposals for the transition of LEP staff and assets to the new EMCCA.

A discussion took place around ensuring that the new entity would have the resources to support the new roles for staff, which were being worked up currently, as well as the ability to pay contracts. WM reminded Members of the promised incoming funding of £38m for 30 years as evidence of funding availability for the new organisation, some of which would be available to fund the team. East Midlands Chamber as the current employer would liaise with the new HR team, which was being commissioned, over transfers of staff. New job descriptions would be shared with staff prior to the start of the formal TUPE process. In the meantime, ongoing support was in place for the staff team.

The working assumption was that LEP resources would transfer later than staff. The LEP Board would probably need to meet until at least the end of this calendar year. Agreement had been reached with the EMCCA team that staff time from the current LEP team would be reserved to support the LEP Board through the transfer of assets,

the production of its final accounts and the closure of the business. Derbyshire County Council would remain as the Accountable Body for the foreseeable future.

Cllr Relf expressed concern over an inherent conflict of interest if staff transferred employer but the work of the LEP continued after this transfer, so that the Directors of the company would then effectively be being advised by an external third party.

David Williams added that he did not wish to be part of a company wind-up but rather would wish to ensure that the essential business of the LEP continued into the new organisation. He also noted that having support from staff formerly employed by the LEP to transfer assets into the EMCCA could be a conflict of interest.

The Chair acknowledged the technical conflict of interest, but sought to reassure Members that work to date with the Shadow CA had been progressing smoothly and gave no cause for concern over conflicts arising in practice. DBT representatives were asked to liaise with other CAs that had already been through the process for feedback on lessons learned. Elizabeth Fagan also thanked Scott Knowles for HR support being provided for the staff team by East Midlands Chamber.

Board **NOTED** the report.

Board **AGREED** to authorise the CEO to:

- a. Formalise discussions with the Combined Authority and East Midlands Chamber (as the LEP staff's legal employer) on the transfer of staff, with a view to enabling a TUPE process to be undertaken and for those staff who wished to transfer to the CCA to do so before the next LEP Board.
- b. Prepare a report for the June board meeting on options for the transfer of the LEP as a going concern into the EMMCCA, for discussion thereafter between the Chair, the CEO and the Mayor.
- c. Work with the EMMCCA team to secure in the new job descriptions for LEP staff transferring into the CCA a clear role to support and report to the LEP Board through the 2024/25 financial year until the next steps for the LEP are agreed and delivered.
- d. Work with Chamber HR to develop a severance package for staff who did not wish to transfer.

2.4 EXEMPT Key Account Management Update

Kiran Birring spoke to an exempt paper, updating Board members on the LEP's Key Account Management Programme.

Board **NOTED** the report and the progress of the KAM programme.

2.5 Board Members' Expenses: new policy

Will Morlidge introduced a paper setting out the proposed policy on Board Members' expenses and the process for claiming for the avoidance of doubt. The policy provided clarity for Board members on what constituted the "reasonable" expenses stated in the Local Assurance Framework.

All agreed that it should be possible to claim reasonable expenses. A debate took place about whether or not it was appropriate for Board members to seek the prior approval of the CEO before incurring expenses on the LEP's behalf. There was broad agreement, however Natasha expressed the view that it had not been her experience to seek prior approval and after further discussion it was agreed to vote on the policy adoption.

Natasha also proposed the creation of an online form for Board Members to submit expenses.

Board **APPROVED** the policy as annexed to the paper - the vote was carried with Natasha abstaining.

ACTION: WM to identify the most appropriate mechanism for online submission of expenses.

2.6 Chief Executive's Report

WM introduced his report and referred Members to the detailed notes therein.

With reference to the annual pay award for staff, he reported that he would be working with SW on a proposal for final review by the Chair before the end of March.

Board **NOTED** the report.

3. Any Other Business

WM thanked Board Member, Dr Glenn Crocker for offering expertise in building a hydrogen cluster. Work was under way with the 3 universities as well as with Loughborough University on two bids.

The preferred bidder to the Early-Stage Angel Investment Fund had asked for contract changes. Legal opinion had recommended not accepting them. If this resulted in a withdrawal, further advice and instructions would be sought at a future Board.

4. Date of Next Meeting

PUBLIC



Date of next meeting: Wednesday, 12 June 2024 (Derbyshire County Council, Matlock).