

King's Lynn Town Deal Board

Terms of Reference

Version 6.0

June 2022

1. Background

The King's Lynn Town Deal Board (KLTDDB) will design and deliver an economic growth strategy for the town. This Board is part of the Government's programme of funding for towns and levelling up with a focus on urban regeneration, improved transport, better broadband connectivity, skills and culture.

The KLTDDB has set out a vision for the town's economic growth, coordinate resources and engage with a variety of stakeholders. The KLTDDB have produced an evidence-based Town Investment Plan to ensure that a Town Deal is delivered with central government around key local priorities and provide the strategic framework to secure further future investment

The Terms of Reference set out the governance of the Board, Board Members, and the relationship with the Lead Council, King's Lynn & West Norfolk Borough Council (KLWNBC) and provide a basis for how the decisions of the Board will be made and the role of Board Members.

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2. Purpose

The Town Deal Board will be the vehicle through which a vision and strategy for the town's economic growth will be defined. The Investment Plan will provide the strategic framework to inform business cases that will be used to apply for funding to deliver the strategy.

3. The role of the Board

The aim of the KLTDB is to create an effective public-private partnership which brings together the agencies, organisations and business interests with a commitment to the physical regeneration and delivery of the Town Investment Plan for King's Lynn. The KLTDB will specifically;

- Develop and agree on an evidenced-based Town Investment Plan
- Develop a clear programme of interventions to improve the town's economic growth.
- Ensure effective co-ordination between the activities and actions of the agencies and organisations involved during the development and delivery of the Town Investment Plan. To serve an advisory function to the Lead Council (BCKLWN).
- To maintain an overview of the planning, development and delivery of development projects, providing a collective, co-ordinated response to issues, challenges and risks as appropriate.
- To provide regular updates to partner Committees, Boards and Towns Fund team.
- Overseeing each step of agreeing a Town Deal, and overseeing compliance with the Heads of Terms Agreement with government
- Agree in principle the Town Deal for King's Lynn with government and the Lead Council
- Identify future funding opportunities that align with the vision and priorities set out in the Town Investment Plan and where necessary, work together to secure additional funding
- To monitor and review the progress of the programme and effectiveness of the actions.

4. Membership

There are a number of required representatives, including all tiers of local government and the local MP, alongside representatives from the Local Enterprise Partnership (LEP), voluntary and community sector and other partner organisations and local businesses. The membership for the KLTDB, refreshed and updated in October and November 2021 is;

Sector	Organisation	Name
All Tiers of Government	Local Council Members	Cllr Graham Middleton, Deputy Leader, Cabinet Member for Business, Culture and Heritage
		Cllr Richard Blunt, Cabinet Member for Development and Regeneration
	Council Officers	Lorraine Gore, Chief Executive
	Norfolk County Council Members	Cllr Nick Daubney
	Member of Parliament for North West Norfolk	James Wild MP
Relevant Local Organisations	New Anglia LEP	Lisa Roberts, Head of Strategy
	Chambers of Commerce	Michael Baldwin, President, also local business owner
	Discover King's Lynn (KL BID)	Vicky Etheridge, Manager
	College of West Anglia	David Pomfret, Principal
	Queen Elizabeth Hospital	Laura Skaife-Knight, Deputy CEO
Community Organisations	Community Action Norfolk	Rik Martin, Acting CEO
	Diocese of Norwich	Bishop Jane Steen
Local Business	Merxin	Graham Purkins, CTO
	Greenyard Frozen	Brendan Legrove, Commercial Director
	Uptech	James Fowler, Business Development Manager
	Hawkins Ryan Solicitors	Andrew Stevenson, Partner

Representative from Department for Business Energy & Industrial Strategy to attend as Observer.

Strategic Directors, Assistant Directors and Managers from Local Government to attend to present to the Board as required.

Representatives from other strategic partners will also be invited to attend when there is business relevant to them.

The Board shall appoint a Chair and Vice Chair who will serve for a period of 24 months before re-election. The Chair must be a business representative. Two Members of the Town Deal Board will be nominated as Chair and Vice Chair. In the absence of the Chair, the Vice Chair will assume the responsibilities of the Chair. In the event no Chair or Vice-Chair is present, a Chair for the meeting will be appointed from the business representatives of the Board present.

A Board Member shall cease to be a member of the KLTDB in the following circumstances:

- Such Board Member gives written notice to the Chair of their notice of resignation.
- Their removal/replacement by the appointing authority/organisation/relevant nominated body.
- 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.
- 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.

Appointment of Board Members

- Any Board Member may add to the agenda of a Board meeting a recommendation to recruit one or more new Board Members.
- If the decision of the Board is to agree the recommendation, the Lead Council will prepare an advert with a deadline for receiving applications to become a Board Member. The advert shall be published in accordance with the Communications Protocol.
- If the number of applications does not exceed the number of roles advertised, the Lead Council shall report to the next meeting of the Board and the Board shall determine whether to appoint a new Board Member. There is no obligation on the Board to accept any application made.
- If the number of applications exceeds the number of roles advertised, the Chair, Vice-Chair of the Board and the Chief Executive of the Lead Council shall meet to determine a short list of applicants who will be invited to interview with them. The Lead Council shall arrange the interview process.
- Upon conclusion of the interview process, the Lead Council will report to the next meeting of the Board the recommendations from the interview panel on who to appoint. and the Board shall determine whether to appoint a new Board Member There is no obligation on the Board to accept the recommendations made.
- Upon the decision of the Board to appoint a new Board Member, this decision shall be communicated to the successful applicant(s) and on their acceptance of the role, they shall be deemed a Town Board Member.
- Decisions shall be taken in accordance with the Nolan principles.

5. Roles and Responsibilities

The role of the **Borough Council of King's Lynn & West Norfolk** is to:

- Be the lead Council and accountable body for the Towns Fund
- Be the main point of contact and liaison with MHCLG in preparation and negotiation of the Town Deal
- Work in partnership with other government bodies to ensure the Town Investment Plan aligns with county and regional strategic plans
- Identify and engage the Board in other funding opportunities that would help to deliver the aims and objectives of the Town Investment Plan
- Define the area the Town Deal Board will represent on a map (appendix 2).
- Upholding the Seven Principles of Public Life (the Nolan Principles)
- Convene the Town Deal Board ensuring that decisions are made by the board in accordance with good governance principles;
- Publish the Town Deal Board's governance structure and ways of working, such as a statement for how the board will engage stakeholders and agree decisions over time;
 - Support the process of developing a good Town Investment Plan; including convening Town Deal Board
 - Running business and wider community engagement events
 - Developing a Town Investment Plan
 - Providing technical expertise for business case development
 - Developing agreed projects in detail and undertaking any necessary feasibility studies

- Helping develop detailed business cases
- Developing a delivery team, delivery arrangements and agreements;
- Liaising with potential private investors in identified local projects and schemes;
- Signing the Head of Terms Agreement with government;
- Monitoring and evaluating the delivery of individual Towns Fund projects;
- Submitting regular monitoring reports to Towns Hub
- Receiving and accounting for the Town's funding allocation BCKLWN remains the accountable body for all monies received through capacity funding and any other funding that will be allocated from the Towns Fund and will set out how this money is spent.

BCKLWN will be represented on the Board by the Leader and Chief Executive of the Council and will be the link between the two bodies in the development of outcomes under those functions set out in section 2. BCKLWN Cabinet, Regeneration & Development Panel, and other Panels and Committee (as deemed appropriate) will receive reports on the progress of activities in line with the Council's Constitution.

The role of the **Chair** is to lead the Town Deal Board in shaping the vision for the town as well as defining the strategy and steps that need to be taken to achieve that vision. The key responsibilities of the post are to:

- Provide strategic and dynamic leadership for the Board
- Lead the Board in developing and then implementing the Town Investment Plan
- Ensure that all sectors on the Board are actively engaged
- Run meetings effectively and fairly ensuring the Board adheres at all times to high standards of ethics and governance.
- Exert a casting vote in Board Decisions if circumstances so require.
- Upholding the Seven Principles of Public Life (the Nolan Principles).
- Signing the Head of Terms Agreement with government.

The role of the **Board Members** is to support the Chair in shaping the vision of the town and ensuring the correct steps are taken to make that vision a reality. The responsibility of Board Members includes:

- Attending Board meetings.
- Reflecting the agreed view of the Board in discussions with partners and stakeholders.
- Taking account of views of other stakeholders and being mindful of different views and requirements.
- Contribute to the development and implementation of a Town Investment Plan and other funding opportunities that may arise for projects aligned with the vision and priorities
- Be ambassadors for 'Vision King's Lynn'

6. Conflicts of Interest

Any conflicts of interest should be declared to the Lead Council Officer before officially joining the board. BCKLWN will maintain a register of Board Member interests which will be published on the BCKLWN website.

The following provisions shall apply to all Board Members should they be faced with conflicts of interest.

- Should a Board Member be faced with a conflict of interest the person shall immediately declare the nature of the conflict/potential conflict and may be asked to withdraw from any business where the conflict would be relevant.
- Whenever a person has an interest in a matter to be discussed at a meeting the person may not be:
 - Entitled to remain present at the meeting during discussions of the matter.
 - Counted in the quorum in relation to the matter.
 - Entitled to vote on the matter.

The Board may, at any time authorise a person to remain in the meeting whilst a matter in which they have or may have a conflict of interest is discussed, provided that the conflict of interest is declared and the person subject to the conflict of interest shall not be entitled to vote on the matter.

7. Board Member Conduct

All members of the King's Lynn Town Deal Board shall observe the "Seven Principles of Public Life" (as detailed in the Code of Conduct) and will be bound by their own authority's/organisations code of conduct in their work on the Town Deal Board.

This includes each Board Member signing up to abide by the Nolan Principles of public life;

- 1. Selflessness** Board Members should act solely in terms of the public interest.
- 2. Integrity** Board Members must avoid placing themselves under any obligation to people 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 other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- 3. Objectivity** Board Members must act and take decisions impartially, fairly and on merit, using the best evidence and without any form of discrimination or bias.
- 4. Accountability** Board Members are accountable to the best interests of BCWKLN and the principle objectives of the Board.
- 5. Openness** The Board must act and take decisions in an open and transparent manner.
- 6. Honesty** Board Members should act with honesty, objectivity and integrity.

7. Leadership Board Members 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.

Members of the Board shall abide by the Code of Conduct and review their Declaration of Interests on an annual basis.

The Board shall give due consideration to all laws and regulations as appropriate.

8. Quorum and Decision Making

The general rule is that decisions are taken at meetings of the Board. Any decision of the Board must be a majority decision.

A quorum shall be eight Board Members present in person (or present remotely), including the accountable body and at least three should be from the private sector.

Each member of the Board shall have one vote which may be cast on matters considered at the meeting (or virtually).

The Chair must be a private sector representative and will be appointed by Borough Council of King's Lynn & West Norfolk.

The Chair will have the casting vote (this refers to whoever is present and discharging the function of Chair for the purpose of the meeting).

In the absence of the Chair at a formal meeting of the KLTDDB, the Vice Chair will be appointed Chair for that meeting only. The Chair for that meeting should be from the Private sector and this does not include KLWNBC, NCC, the Member of Parliament for North West Norfolk, Department of Work and Pensions, NHS or NALEP.

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.

The council's Chief Executive will consult the Chair from time to time on progress of the work of the Town Board.

The Chair may convene an informal meeting of all or some of the Board Members to inform progress of the work of the Town Board.

The Chair may meet third parties and attend events on any matter pertaining to the Town Deal projects.

Informal meetings and engagement with third parties will be reported back to the KLTDDB.

9. The Board's Relationship with Borough Council of King's Lynn & West Norfolk

The Board is not an incorporated body and BCKLWN will remain the accountable body for the Towns Fund and Capacity Funding that has been received and any future funding that may be received by way of further Capacity Funding, grants or contribution to feasibility studies that the Board may wish to commission.

The King's Lynn Town Deal Board may make recommendations to the Council's Cabinet from time to time during the development and implementation of the King's Lynn Town Investment Plan.

10. Meetings

The Board will meet monthly. The timings of these meetings will be agreed through the Board members. 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.

Board meetings will not be open to the public due to the commercial and financial nature of the meetings.

Meetings may be taken in person or virtually where required.

Informal Board Meetings may take place from time to time. These will be in private and not open to the public. 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.

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.

11. Communication and Reporting arrangements

In line with the principles of public life, it is important that there is transparency around the operation of the Board.

Meetings of the Board shall be called by the Secretariat at the request of the Chair of the Board. The agenda and papers for meetings shall be approved by the Chair.

Wherever possible, 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 five clear working 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.

Agendas and papers for each meeting shall also be published on the BCKLWN and Vision KL website in advance of the meeting, within 5 clear working days, unless they are 'exempt' in accordance with the explanation below.

The default position is that all papers are open to the public. However, papers which contain 'exempt' information shall be marked as such and shall not be published publicly until the reason for the exemption has lapsed. Exempt information is classed as follows:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any person (including the Authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultation or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes: a. To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b. To make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

AND that in all the circumstances of the case, the Board considers at the meeting that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Reviews shall be undertaken quarterly for papers which can be published due to any exemption applied at the time lapsing.

The proceedings and resolutions of meetings of the Board, including the names of those present and in attendance, shall be minuted by the Secretariat of the Board.

Draft minutes of each meeting will be circulated promptly to all Members of the Board. Minutes of meetings of the Board shall be approved in draft form by the Chair and disseminated to the Board. Minutes shall remain in draft until approved by the Board, at which point they will be published onto the BCKLWN and Vision KL website.

KLTDDB members should refer to the Communication Protocol.

12. Community & Stakeholder Engagement

The Town Deal Board will engage with the community and stakeholders in line with the King's Lynn Town Deal Communications & Engagement Plan developed for the Board.

Our guiding principles will underpin how we communicate and engage to ensure that the process of developing and delivering the Town Investment Plan is truly collaborative and overcomes barriers to involvement. We will:

- **Make it safe**
We want people to feel 'safe' to engage with us and to feel confident to have a voice by the type of activities, language, content, and capacity building we provide.
- **Make it easy**
We need to make it as easy as possible for people to engage by using varied channels, 'piggy backing' on existing opportunities and connections, and taking communications and engagement opportunities to people.
- **Make it accessible**
We want to remove barriers to engaging and will do this by being clear in our communications, and by identifying and empowering specific participants who may not easily engage.

The KLTDDB will be committed to working with all local stakeholders in a consistent, collaborative, inclusive and open manner to develop and implement the Town Investment Plan for King's Lynn. This will be achieved under the **Vision King's Lynn** brand, ensuring a joined up approach with other existing and ongoing town centre regeneration / funding activities. This brand has become established in 2019 and allows us to benefit from its existing brand equity, channels and connections. The KLTDDB aim to keep as wide a range of stakeholders informed of the Towns Fund utilising a variety of methods and tools.

13. Respecting Confidentiality

On occasions the Board may wish to discuss matters where one or more members wish to retain confidentiality. This may include instances where the Board is to issue a press release or arrange an event. In such circumstances, and where specifically requested by one or more members of the Board, all Board members are expected to retain confidentiality in the context of the matters being considered.

Matters may require more stringent levels of confidentiality due to commercial sensitivity, allowing for ideas to be developed without being negatively influenced before external engagement and the Board may consider the requirement of using Non-disclosure agreements in relation to particular discussions.

14. Review & Dissolution

The Board will be reviewed from time to time in line with guidance received from Ministry of Housing Communities and Local Government relating to the Towns Fund.

Dissolution of the Board will be considered and agreed by the Chair, in consultation with Board members, The Ministry of Housing Communities and Local Government and The Chief executive of BCKLWN, on achieving the objectives outlined in section 3.

15. Ancillary Matters

15.1 Freedom of Information

The Board and its activities will be subject to Freedom of Information requests, in addition to the Data Protection Act 2018 and the Environmental Information Regulations (various). Provision will be made via BCKLWN website and support will be provided by BCKLWN to manage and respond to such requests. To ensure the highest standards when collecting and using personal information the General Data Protection Regulation (GDPR) policy and procedure of the Lead Council will be applied in all cases.

It is likely that members of the public may have direct questions that relate to how the Board functions and the decisions it makes. These in the first instance will be directed to the Chief Executive to manage, and where appropriate engage with the Chair and/or the Board.

15.2 Sub-groups

In developing and implementing the Investment Plan thematic sub-group(s) may be required to be set-up, engaging people and organisations outside of the Board to support the development and delivery of the Investment Plan.

Sub-groups will be approved by the Board and members of the sub-groups will adhere to these Terms of Reference and the associated Code of Conduct. This will allow for wider engagement outside of the Board in developing an evidence-based plan. The sub-groups will not require voting mechanisms and are advisory to the Board on specific thematic matters.

Once established, information relating to the sub-groups will be added as an addendum to the Terms of Reference.

Appendix 1: King's Lynn Town Deal Boundary

Appendix 2: Governance Structure

