

# Blackpool Town Deal Board Meeting No 6- Agenda Item 5

Report to: Blackpool Town Deal Board  
Subject: Terms of Reference and Government Framework  
Relevant Officer: Nick Gerrard, Growth and Prosperity Programme Director  
Date of Meeting: 16<sup>th</sup> October 2020

## 1. Purpose of the report

To propose the final terms of reference and governance framework for the Town Deal Board

## 2. Recommendation

The Board is recommended to:

- a) Approve the attached Terms of Reference and Governance Framework
- b) Complete their individual register of interests
- c) Provide a photo and short biography where they have not already done so
- d) Note that all the above will be put on the Council's website

## 3. Background

At the last meeting the Board noted that the further guidance received from the Government expected the Town Deal Board to align with the governance standards and policies of the lead Council.

It was also noted that the guidance would require a series of measures to be introduced to ensure that the Governance arrangements align including such specific additional measures as:

- Board Members biographies to be published

- Guidance on whistle blowing, conflicts of interest, complaints, and compliance with the General Data Protection Regulation (GDPR) to be provided.
- A Register of Interest to be produced

The final terms of reference are now attached together with a simplified version on guidance regarding a code of conduct and declarations of interest which has been put together by Blackpool Council's governance team which Board members will be expected to follow.

## Annex 1

### Blackpool Town Deal Board Terms of Reference (16<sup>th</sup> October 2020)

#### 1. Introduction

Blackpool is one of the 100 towns included in the Ministry of Housing, Communities & Local Government (MHCLG)'s Towns Fund Prospectus set up to address growth constraints and to deliver long term economic and productivity growth through:

- Urban regeneration, planning and land use
- Skills and enterprise infrastructure
- Connectivity

The Towns Fund provides an opportunity for Blackpool to agree a Town Deal with MHCLG and thereby benefit from significant investment for growth. It is a requirement of the Towns Fund that Blackpool Council (BBC) develops and convenes a Town Deal Board.

#### 2. The Role of the Blackpool Town Deal Board

The Towns Fund Prospectus was specific on the role and membership of the Board. Its **role** is to :

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

The Board is not a legal entity, and its role is advisory. Its purpose is to work with Blackpool Council, to which it is accountable as the Lead Council, to produce a well-evidenced Town Investment Plan which sets out a clear understanding of Blackpool focusing on its assets, opportunities and

challenges. It will subsequently assist in the production of business cases to access Town Deal funding.

### 3. Board Membership

In terms of Membership, Town Deal Boards must include:

- The Council
- Our two Members of Parliament
- Local businesses and investors
- Lancashire Local Enterprise Partnership (LEP)
- Communities: Boards should draw on the local knowledge and insight that communities can provide on the barriers to driving local growth and productivity. It is expected this would be achieved by including community representatives from prominent local civic and faith organisations

Town Deal Boards are also strongly encouraged to include other key bodies (either in their governance structure or in their engagement activity).

In 2018, the Blackpool Pride of Place Board had already been established as a key partnership between Blackpool Council, BITC and Lancashire LEP and produced the Blackpool Town Prospectus. Blackpool's original response to MHCLG in December 2019 thus stated in relation to the Town Deal Board:

“The work of the Pride of Place (PoP) Board and the establishment of the Town Prospectus has been instrumental in putting Blackpool in a very strong position for securing a Town Deal – indeed, after Grimsby, Blackpool had made great strides towards becoming the second Town Deal in what has now become an expanded programme.

Whilst the constitution of the current PoP Board is close to what is required by Government it does not fully represent the engagement which is required although most of the organisations are already involved in Blackpool's partnership arrangements. It also includes some whose remit is beyond the Blackpool Town Deal area.

It was therefore agreed at the Pride of Place Board on 14<sup>th</sup> November 2019 that the Town Board would be a sub-group of the PoP Board which would act as an advisory group to the Council.”

Thus, the Blackpool Town Board membership is as set out below with Paul Smith appointed as the independent private sector Chair.

Listed below are the board members and the organisation they represent:

Paul Smith (Chair)	BITC Pride of Place
Neil Jack	Blackpool Council
Alan Cavill	Blackpool Council
Bev Robinson	Blackpool & The Fylde College
Dick Cartmel	Together Lancashire
David Gaffney	Arts Council
Jane Cole	Blackpool Transport
Kate Shane	Merlin
Linton Brown	Blackpool Football Club
Nick Payne	Nikal
Paul Maynard	MP, Blackpool South
Peter Swann	Coolsilk
Scott Benton	MP, Blackpool South
Steve Fogg	Lancashire Enterprise Partnership (LEP)
Steve Williams	Force Technology
Tina Redford	Left Coast
Tracy Hopkins	Blackpool Fylde & Wyre VCFS
Heather Murray	Department for Work and Pensions (DWP)
Kevin McGee	Blackpool Teaching Hospitals NHS Trust
Peter Cole	Future High Street Fund Board

The board meetings are also attended by:

Katherine O'Connor	BEIS
Nick Gerrard	Blackpool Council
Andy Charles	BITC Pride of Place

The Board will have the power at any time to co-opt further members if and when an appropriate candidate becomes available.

A Board member shall cease to be a member in the event of:

- such member giving written notice to the Board of their resignation, to take effect on receipt by the Board of the notice of resignation or, if later, the date stated in the notice;
- such 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;
- such member ceasing to have an office or other base within Blackpool or ceasing to be employed by such organisation as entitles them to be a member.

All Board members will normally retire every three years but can be reappointed at the end of each three year period. As the Board has only been established this year and most Members appointed at the same time this is unrealistic as all the Board would be up for reappointment at the same time. It is therefore proposed that after three years (February 2023) that a third of the Board are retired for that year and each subsequent year to the extent that should prove necessary (as some Board members may have retired earlier)

#### 4. Board Meetings

- The Board will usually meet monthly in the first year of operation, with an expectation of meeting 4 times per year thereafter.
- No business shall be transacted at any Board meeting unless a quorum is present.
- The quorum shall be eight and shall include BBC, BITC and a Business/SME member
- Members of the public may attend all board meetings, unless information relating to the financial or business affairs of any person or organisation is likely to be disclosed.

- BBC will give at least 5 clear working days' notice of all Board meetings, by publishing details on its website.
- BBC will publish on its website copies of agendas and reports that are open to public inspection at least 5 clear working days before each board meeting, and copies of minutes of board meetings that are open to public inspection as soon as practicable once they have been approved by the Board.
- Each Board member shall have one vote and decisions will be made on a show of hands. In the event of an equality of votes the Chair shall have a casting vote.
- Blackpool Council will provide administrative support to the Board.

## 5. Board Members' Conduct

Board members are expected to adhere to the Seven Principles of Public Life, known as the Nolan Principles, as defined by the Committee for Standards in Public Life:

- **Selflessness:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.
- **Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- **Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- **Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.

- Honesty: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- Leadership: Holders of public office should promote and support these principles by leadership and example.

## 6. Conflicts of Interest

- Blackpool Borough Council will maintain and publish on its website a Register of Board Member Interests.
- The following provisions shall apply to all Board members:
  - In the event that there is a conflict of interest the person so conflicted shall immediately declare the nature of the conflict or potential conflict and 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 concerned will not be:
  - entitled to remain present at the meeting during discussion of that matter
  - counted in the quorum for that part of the meeting
  - 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. Roles and Responsibilities

### The Chair

The role of the Chair is to lead the Board in defining vision and direction, and in delivering the desired outputs, whilst ensuring that appropriate procedures for governance and management of resources are in place.

The key responsibilities of the post are to:

- Provide strategic leadership and direction to ensure that the Board achieves its goals.
- Lead the efforts of the Board to agree a Town Investment Plan for Blackpool and business cases funding.
- Effectively chair meetings of the Board, leading it towards decisions that ensure the strategic vision and key objectives of the Board are delivered.
- Be an effective influencer and “ambassador” for Blackpool at local, regional and national levels working with appropriate partner organisations and individuals.
- Be an effective advocate on behalf of the Board, BBC and the businesses and people of Blackpool, in particular at conferences and events/meetings with Ministers, MPs and key civil servants.
- Reflect the agreed policies of the Board and its members in all discussions with partners, stakeholders, government and its agencies.
- Ensure that the Board adheres at all times to high standards of ethics and governance in public life and is an exemplar to other organisations.
- Ensure that all Board members participate actively in the work of the Board, encouraging their attendance and engagement and keeping regular contact with all members.
- Exert a casting vote in Board decisions if circumstances so require.

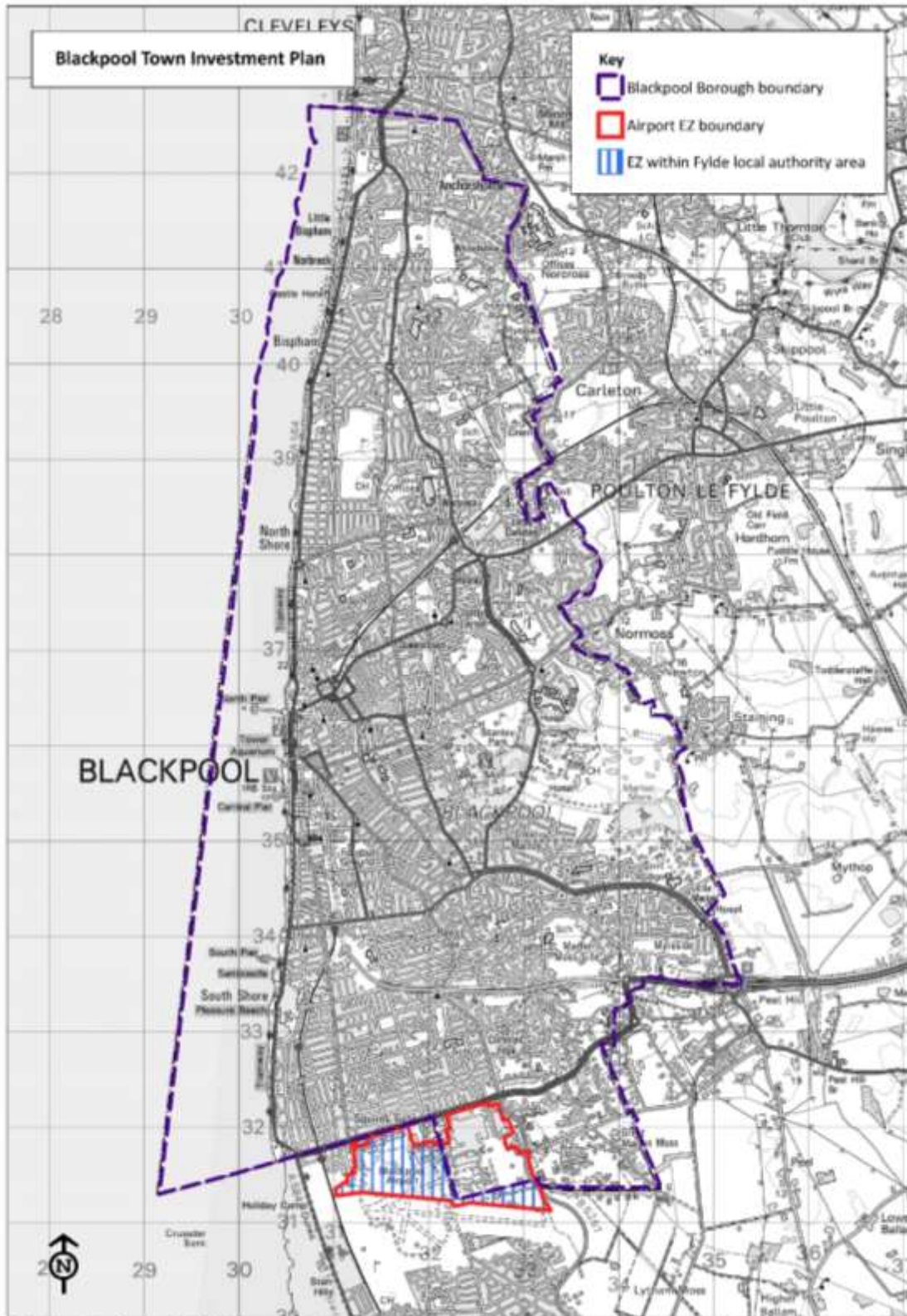


## Board Members

- Board members have a responsibility to uphold high standards of integrity and probity. They should support the Chair in instilling the appropriate culture, values and behaviours in the boardroom and beyond.
- Board members should take into account the views of other stakeholders, because these views may provide different perspectives on the Board and its performance.
- The duties and responsibilities of a Board member are to:
  - Attend meetings of the Board.
  - Reflect the agreed view of the Board and its members in all discussions with partners, stakeholders, government and its' agencies.
  - Support the Chair by leading on activities relevant to their knowledge and experience by representing the interests of the Board in meetings with partners, stakeholders, government and its' agencies.
  - Actively develop an effective partnership.
  - Contribute knowledge and expertise to the development of the Town Investment Plan and business cases for funding.
  - Formally represent the Board in meetings with other bodies and partner organisations as required.

## 8. Area covered by the Blackpool Town Deal

The area the Board will represent is the Blackpool Council geographic area and the whole of the Blackpool Airport Enterprise Zone for which Blackpool Council is the accountable body (part of which lies in Fylde).



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## Annex 2

### Blackpool Town Deal Board

#### Governance Framework and Policies

16<sup>th</sup> October 2020

#### Introduction

Success of the Town Deal collaboration rests on strong, effective leadership.

Having a robust governance framework upholds the integrity of the Town Deal Board in achieving professional business standards, promoting effective and transparent decision making and stakeholder confidence.

This policy framework includes the following documents:

- Code of Conduct for Board Members
- Conflicts of Interest Policy (including Register of Interests form)
- Confidentiality, information governance and data protection
- Complaints and whistleblowing

## Code of Conduct of conduct for Blackpool Town Deal Board Members

### 1.0 Principles underpinning the Code

- 1.1 As a Board member, you should always have regard to the following principles – commonly known as the ‘Nolan Principles’ or the Seven Principles of Public Life – which are:



### 2.0 Application of the Code

- 2.1 The Code applies to all Board members in their internal and external dealings both within the work environment, any work-related social events or when representing the Town Deal Board.
- 2.2 You will be expected to sign up to the Code on your appointment as a Town Deal Board member.

### 3.0 Expected standards of conduct

- 3.1 Blackpool Town Deal Board expects the following standards i.e. that:

- 1) You behave with integrity and conduct yourself in such a way that does not bring the Town Deal Board or Blackpool Council into disrepute or prejudice its good standing.
- 2) You are courteous and respectful to fellow Board members, clients, suppliers, officers, and other colleagues/stakeholders.

- 3) You act in a manner consistent with equality objectives of Blackpool Council<sup>1</sup> and are not discriminatory.
- 4) You act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
- 5) You make all choices on merit, such as making appointments, awarding contracts or recommending individuals for rewards or benefits, based on objective evidence.
- 6) You are accountable for your decisions and you must be prepared to give public reasons for those decisions as well co-operating fully with whatever scrutiny is appropriate to your position.
- 7) You must comply with the Town Deal Board Conflicts of Interests Policy, including registering and declaring your interests appropriately and take steps to resolve any conflicts arising in a way that protects the public interest.
- 8) You must, when using or authorising the use by others of the resources of the Town Deal Board, ensure that such resources are not used improperly for political or personal purposes.
- 9) You must comply with all associated policies and procedures of the Blackpool Town Deal Board contained within this framework and adopted by the Board.

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<sup>1</sup> Equality objectives are at <https://www.blackpool.gov.uk/Your-Council/Transparency-and-open-data/Equalities-and-diversity/Equality-information-and-objectives.aspx>

## Conflicts of Interest Policy

### 1.0 Context

1.1 Conflicts of interests may arise where an individual's business, personal or family interests and/or loyalties conflict with those of the Town Deal Board. Such conflicts may create problems; they can:

- inhibit free discussion
- result in decisions or actions that are not in the interests of the town
- create the impression that the Town Deal Board has acted improperly.

1.2 The aim of this policy is to protect the Board, the Council and the individuals involved from any appearance of impropriety.

### 2.0 Registering Interests

2.1 You must, within 28 days of taking office as a Board Member, notify the Town Deal Board Secretariat of certain interests. A Register of Interests form is attached to this policy for this purpose.

2.2 In line with good practice, the register of interests needs to be updated at least annually. You must also notify the Secretariat within 28 calendar days of any interest changing, or a new interest becoming registrable, using the form provided.

2.3 Blackpool Council will publish the register of interests for Town Deal Board members on the relevant area of the website.

### 3.0 Declaring Interests and Participation

3.1 It is the responsibility of the Town Deal Board Member to identify and declare interests.

3.2 You should review all discussion papers and Board papers in advance to identify whether you have a potential conflict of interest including those that you have

registered or any which you consider or could be perceived to compromise your ability to fulfil your duty to act in conformity with the Seven Principles of Public Life. Any advice should be sought in advance of the meeting.

- 3.3 An item will be included on the agenda of each Town Deal Board meeting for declarations of interest. Should you identify an interest during the course of any discussion, you should declare this immediately and take the appropriate action.
- 3.4 If you or an immediate family member (to include spouse/partner, siblings, children and parents) has any contract with the Company or has a direct financial interest (including any interest which would financially benefit an organisation you/they are employed by or be appointed to) you should not be involved in any decision of the Board or seek to influence any decision regarding this. You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion.
- 3.5 You may, however, participate in discussions from which you may indirectly benefit, but only where the benefits are universal, or where your benefit is minimal and non-financial. This can be deemed an 'accepted interest' and still should be recorded in the minutes.
- 3.6 In the event of the Town Deal Board having to decide upon a question in which a Board member has an interest, all decisions will be made by vote. The Board will have regard to any governance advice in this respect. Board members may not vote on matters affecting their own interests.
- 3.7 All decisions under a conflict of interest will be recorded and reported in the minutes of the meeting. The report will record:
  - The nature and extent of the conflict
  - An outline of the discussion
  - The actions taken to manage the conflict

## Register of Interests Declaration Form

I, [Click or tap here to enter text.](#), as member of the Blackpool Town Deal Board have set out below my interests in accordance with the Town Deal Board's conflicts of interest policy.

Please give details of interest, specifying dates and endings of appointments for the following:

1. Current employment and any employment held in the last 12 months
2. Details of all businesses in which I am a partner or sole proprietor
3. Current appointments (voluntary or otherwise) e.g. trusteeships, directorships, tribunals etc.
4. Current membership of any professional bodies, special interest groups or mutual support organisations
5. Gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months. (Such gifts or hospitality to be as a result of your position of director with the company or if adviser to the Board, your employment with the company). No other gifts or hospitality should be listed.
6. Details of existing business interests, company directorships and trusteeships of immediate family (to include spouse/ partner, siblings, children and parents).

To the best of my knowledge, the above information is complete and correct.

I undertake to update the information provided within 28 calendar days of any information changing or a new interest becoming registrable and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_



## Confidentiality, information Governance and data protection policy

### 1.0 Confidentiality

- 1.1 All confidential information acquired during your tenure to the Board should not be released, either during your appointment or following termination (by whatever means), to third parties without prior clearance in writing from the Town Deal Board.
- 1.2 You acknowledge the need to hold and retain Town Deal Board information (in whatever format you may receive it) under appropriately secure conditions.
- 1.3 You should exercise greatest care at all times when discussions with permitted persons regarding Board business arise outside a meeting.
- 1.4 You should not use any information gained in your tenure for personal advantage.

### 2.0 Data Protection

- 2.1 You consent to the Town Deal Board holding and processing information about you for legal, personal, administrative and management purposes and in particular to the processing of any sensitive personal data (as defined in the Data Protection Act 1998, or any Data Protection legislation which supersedes this) including, as and when appropriate:
  - information about your physical or mental health or condition in order to take decisions as to your fitness to perform your duties
  - information about you that may be relevant to ensuring equality of opportunity and treatment in line with the equal opportunities policy; and
  - information relating to any criminal proceedings in which you have been involved, for insurance purposes and in order to comply with legal requirements and obligations to third parties.

### 3.0 Return of Town Deal Board property

- 3.1 Upon termination of your appointment with the Town Deal Board (for whatever cause) you shall destroy or deliver to the Board all documents, records, papers (not otherwise published) or other Town Deal Board property which may be in your possession or under your control and which related in any way to the business affairs of the Town Deal Board and you shall not retain any copies thereof.

## Complaints and Whistleblowing Policy

### 1.0 Complaints

- 1.1 Any complaints in relation to the Blackpool Town Deal Board should be made through Blackpool Council's complaints procedure at [www.blackpool.gov.uk](http://www.blackpool.gov.uk)

### 2.0 Whistleblowing

- 2.1 Whistleblowing procedures are intended to enable people to raise serious concerns on matters of the Town Deal Board (such as improper conduct or breaches of the Bribery Act) that they feel they cannot raise through the complaints procedure, without reprisals or victimisation.
- 2.2 All concerns will be treated in confidence and every effort will be made not to reveal a person's identity if they so wish.
- 2.3 Concerns should be addressed to the Council's Head of Audit and Risk at Blackpool Council, Number One Bickerstaffe Square, Blackpool, email: [tracy.greenhalgh@blackpool.gov.uk](mailto:tracy.greenhalgh@blackpool.gov.uk)