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To: The Chair and Members of the Heart of the
South West (HotSW) Local Enterprise
Partnership (LEP) Joint Scrutiny Committee

County Hall
Topsham Road
Exeter
Devon
EX2 4QD

Date: 1 February 2023

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**HEART OF THE SOUTH WEST (HOTSW) LOCAL ENTERPRISE PARTNERSHIP
(LEP) JOINT SCRUTINY COMMITTEE**

Thursday, 9th February, 2023

A meeting of the Heart of the South West (HotSW) Local Enterprise Partnership (LEP) Joint Scrutiny Committee is to be held on the above date at 2.15 pm at Virtual Meeting (Microsoft Teams) to consider the following matters.

Jan Spicer
Interim Chief Executive

A G E N D A

1 Apologies

2 Minutes (Pages 1 - 4)

Minutes of the meeting held on 13 October 2022 (attached).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.

4 LEP Update (Pages 5 - 14)

Update by the Chief Executive of the Local Enterprise Partnership

5 Devolution Deal Update (Future Arrangements of Scrutiny)

Update by Programme Director - Devon, Plymouth and Torbay Devolution

6 Scrutiny Work Programme (Pages 15 - 16)

In accordance with previous practice, Scrutiny Committees are requested to review the list of forthcoming business and determine which items are to be included in the Work Programme.

7 Dates of Future Meetings

Future meetings have been set as follows:

8 Jun 2023 2.15 pm
12 Oct 2023 2.15 pm
8 Feb 2024 2.15 pm

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NIL

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Agenda Item 2

HEART OF THE SOUTH WEST (HOTSW) LOCAL ENTERPRISE PARTNERSHIP (LEP)
JOINT SCRUTINY COMMITTEE
13/10/22

HEART OF THE SOUTH WEST (HOTSW) LOCAL ENTERPRISE PARTNERSHIP (LEP) JOINT SCRUTINY COMMITTEE

13 October 2022

Present:-

Councillors J Brook (Chair), R Chesterton, I Roome, N Bye, C Penberthy, Clist, Ewings and N Cavill

Apologies:-

Councillors M Douglas-Dunbar

Members attending in accordance with Standing Order 25

Councillor J Hodgson

* 24

Minutes

RESOLVED that the Minutes of the meeting held on 10 February 2022 be signed as a correct record.

* 25

Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

* 26

Local Enterprise Partnership Next Steps, Including Devolution Deal

(Councillor Hodgson attended in accordance with Standing Order 25 (2)(a) and spoke to this item).

Members received a presentation on the future of the Local Enterprise Partnership (LEP) and the outlook of a potential devolution deal for Devon, Plymouth and Torbay. This was in the context of the Government's refreshed approach to devolution across England which was published in the Levelling Up White Paper in February 2022.

Negotiations were proposed by the Government for autumn 2022, with a view to implementing the first wave of devolution deals from April 2023. Local partners in the South West were pursuing a Level 2 type deal (non-mayoral) led by a cabinet of 4 Leaders (Devon, Plymouth, Torbay and the rotating leader of the Devon Districts group).

Somerset, which was currently included in the Heart of the South West LEP, was not being included in the Combined Authority plans. This was owing to its

Agenda Item 2

HEART OF THE SOUTH WEST (HOTSW) LOCAL ENTERPRISE PARTNERSHIP (LEP) JOINT
SCRUTINY COMMITTEE
13/10/22

development into a unitary authority and uncertainty on whether Somerset would wish to be involved in the future or follow alternative devolution plans.

The LEP and its existing functions were planned to be integrated into the Combined Authority alongside additional control over powers and funding that were at present nationally held, as well as further control over public transport commissioning and infrastructure funding. Under the proposals, the strength of scrutiny and voice of business were both intended to be expanded and strengthened.

Members were advised that business cases had been prepared and that officers were ready to enter negotiations with Government to secure a deal.

Member discussion included:

- how the proposed leadership arrangements would address things such as population differences in the area (for instance, Devon having the largest population). Members were advised that there were many considerations, and the Combined Authority would look to ensure that all areas involved have significant power in decision making while also reflecting to some degree differences between the areas;
- the consideration of environmental concerns within any potential deal. Members were advised that capital had been provided for decarbonisation, and control over other environmental / climate provisions had already been incorporated in the asks that would be submitted when entering into negotiations; and
- the role of scrutiny, which was planned to be expanded in any outcome when compared to the current relationship between scrutiny and the Local Enterprise Partnership.

* 27 LEP Performance Update

(Councillor Hodgson attended in accordance with Standing Order 25 (2)(a) and spoke to this item).

Members received an update from the Chief Operating Officer of the Local Enterprise Partnership on the performance of the LEP including developments from the last meeting of this committee, and the LEP Annual Report (which was made available [here](#)).

The Committee was advised that several aspects of the national economic picture had been impacted by COVID in the long-term such as a tightening labour market and increasing levels of debt. Progress had been made, but recent economic uncertainty had negatively effected business confidence in the area.

Agenda Item 2

HEART OF THE SOUTH WEST (HOTSW) LOCAL ENTERPRISE PARTNERSHIP (LEP)
JOINT SCRUTINY COMMITTEE
13/10/22

The funding that had been assigned to the LEP, totalling approximately £1billion of public and private sector money, had mostly been spent with a small number of capital programmes due to be completed in the near future.

Members discussed the development of carbon-free energy such as Langage Green Hydrogen hub and Hinkley Power Plant. With reference to Langage, the LEP was working with Carlton Power to develop their business plan to help ensure that the demand for hydrogen met the supply. Hinkley Power Plant, and the importance of reducing carbon emissions (such as by moving transport from road to rail) was also discussed.

Members also explored the future role of the LEP in relation to the Devolution Deal. It was explained that the LEP was looking to identify key areas of focus that could be considered alongside the Greater South West counties (namely, including Cornwall and Dorset) to raise the profile of the region, particularly based around the green and blue economy (environment and marine) and social mobility.

* **28** **Scrutiny Work Programme**

(Councillor Hodgson attended in accordance with Standing Order 25 (2)(a) and spoke to this item).

RESOLVED that the following be added to the work programme:

- Combined authority arrangements for Scrutiny, considering lessons learnt and principles going forward
- Housing delivery particularly social and affordable housing.
- Social mobility masterclass

* **29** **Dates of Future Meetings**

Dates of Future Meetings were noted as 8 June 2023 and 9 February 2023

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 3.56 pm

Agenda Item 2

Heart of the South West LEP Scrutiny Committee

February 9th, 2023

Chief Executive's Update

Lead Officer: David Ralph, Chief Executive, HotSW LEP

Contact Details: 07543 219390 – david.ralph@heartofswlep.co.uk

Summary

At the last meeting, Scrutiny Committee asked for updates on:

- Combined authority arrangements for Scrutiny, considering lessons learnt and principles going forward
- Housing delivery particularly social and affordable housing

As neither of these areas are the responsibility of the LEP (Devolution is overseen by a Leaders Board; housing by the HOTSWS Joint Committee) it is difficult for me to give full updates on either although I can provide a perspective.

Consequently, this report provides updates on:

- State of the Economy
- Annual Performance Review
- 2023/24 Business Plan priorities (see separate slide deck Appendix 1) and proposed Governance Review – Appendix 2
- Key Asks for the 2023 Budget
- Great South West Update

1) State of the Economy and Asks of Budget

We have published our winter business bulletin – a digest of data from BROs surveys, etc including ICAEW, Chamber, MAS barometer, etc – at the end of this month (January) but as all are aware we are experiencing significant recessionary headwinds and cost of living challenges caused and illustrated through:

Agenda Item 4

- High inflation caused two-thirds of firms in Q2 2022 to expect further price rises with energy bills, raw materials, and labour costs all cited as the top drivers of price rises.
- A reduction in the percentage of firms expecting to grow in the next twelve months and nearly a quarter of businesses looking to scale down or even consider closure in response to rising costs
- Significant challenges in our ability to fill vacancies
- The highest standing charge for electricity in the UK

UK Plc. needs a stronger Plan for Growth and the HotSW area should have increased recognition as an important component of that plan. Elevating the proposition – both opportunities and challenges - of the South West is the key modus operandi of the Great South West.

The HoTSW area is heavily dependent on SMEs (sometimes in specific sectors) and many of these businesses have been disproportionately hit through Covid and now by the cost of living challenges. This is partly structural – the high number of SMEs, peripherality and partly sectoral e.g. a high dependence on seasonal hospitality, farming and the more widely public sector. Moreover, the health and well-being of communities particularly in coastal and rural communities have been disproportionately impacted in recent years with many of our disadvantaged communities hit hard.

However, the South West is undergoing a period of opportunity illustrated by support for the Freeport, Cornwall's spaceport and launch and the emerging collaboration of the Great South West with an increasing recognition to deliver prosperity through clean and inclusive growth.

For example, the Devon Carbon plan has recently been published and the SW Social Mobility Commission will shortly hold its first session. Funding through Levelling-Up and UKSPF have also recently been confirmed.

Asks for Government – Budget 2023

For each fiscal event ie Budget, on behalf of HOTSWS, we try to set out our key asks of Government we would like to see delivered/accelerated through the Budget.

As an ocean/coastal region and a rural powerhouse, our environment provides us with a quality of life offer and physical assets base that can be matched by few others. These attributes have always been at the centre of our economy and quality of life but for example, in food and energy security they are becoming increasingly relevant.

Therefore ahead of the March Budget the asks within our HotSW manifesto for 2023 are expressed through 4 key themes:

1. Spotlight on Skills

- Flexibility on the use of Apprenticeship levy to facilitate further increase upskilling in workforce skills and getting people into the labour market – we have the highest level of economic inactivity in over 50s across the country.

Agenda Item 4

- Accelerating the availability of UKSPF for workforce and skills support (particularly in technical skills) into 23/24 (rather than waiting until 24/25)

2. Investing in Infrastructure and Places

3. Improved strategic connectivity is a key enabler for economic growth, so the HOTSW seeks
 - a) through publication of the Government's Roads Investment Strategy 3 confirmed funding commitments for the A303 Stonehenge and A358 Taunton to Southfields projects, and development of A303 South Petherton to Southfields as the next pipeline project.
 - b) The South West has led the recovery of rail patronage, with gateline figures at Taunton and Exeter Central up to 120% of pre-Covid levels. Yet at the same time we are aware that our main operator is reducing the size of its train fleet this year. We seek a commitment that Great Western will have sufficient train and staff resources to be able to meet the growing demand in the south west and be able to capitalise on enhancements coming on stream such as new stations at Marsh Barton, opening this Spring and those under development - including Edginswell, Cullompton, Wellington, Okehampton East and the Mid Cornwall Metro
 - b) Through the delivery Of Project Gigabit to the HOTSW area recognise the disproportionate availability of coverage in hard to reach areas and consequently a two speed by:
 - By achieving 90% coverage throughout the HOTSW area by 2030
 - Enabling local communities across to a BDUK funded voucher scheme to work alongside local delivery

4. Targeted Business Sector and Support

- Confirmed BEIS funding for the HOTSW growth hub for 23/24 and 24/25 which can then be augmented by local delivery
- Targeted funding to support businesses to transition to net zero

5. Commercialising and Levelling-Up Ideas and Innovation

- To support the provision of a Maritime and Environmental Science Accelerator including the HOtSW Technopole
- Support the delivery of Innovate UK funded launchpad for our marine our martimme cluster

6. What's Going Well and What Isn't

Governance Review - Two new Board Members. Helen Higgs from EDF as an independent private sector rep and Mark Bolton, Principal at Yeovil College who will

Agenda Item 4

be replacing John Laramy (from the next meeting). Exeter College have recently been confirmed as an Outstanding College by Ofsted -the first in the country to do so

In addition, we are carrying out a Governance review particularly in the light of changing Somerset representation.

We will no longer be funding the supply chain programme for Hinkley although this will continue to be delivered through funding from EDF and local contributions

The Freeport full business case has been agreed and a new Chair and Chief Executive have been appointed.

Possible significant inward investment at Gravity is still under discussion but with nothing confirmed yet.

The Chambers are progressing with their Local Skills Improvement Plans

Great South West Partnership has been formally launched (in House of Lords) and will shortly be going out for recruitment of a permanent chair.

Both the Forder Valley Link Road and Marsh Barton station are shortly to open and we have a better understanding of the timing for delivery of Project Gigabit. New proposals for the final part of the Dawlish coastal defences are currently out for consultation.

We are still awaiting Government confirmation of LEP Core and Growth Hub funding for 23/24

The Board agreed additional support for Torquay Business Centre and Taunton Digital Innovation Centre recognising the additional financial challenges to delivering capital projects

Following the delays to CDS delivery the Board have agreed to invite 4 business cases for spending up to £1.3m – this is the last of the LGF funding.

Annual Performance Review

Last month, the LEP held its Annual Performance review with Government which looks at LEP performance relating to Governance, Strategy and Delivery.

Indicative assessment from officials considered that the requirements for both strategy and Governance were met but that delivery was a cause for concern largely due to the amount of funding being carried forward to continue to support the

delayed delivery of the Connecting Devon and Somerset programme particularly into 24/25.

The LEP has argued that retaining this commitment is a vital part of the programme and has been agreed directly with other parts of Government (namely DCMS) and we should not be 'penalised' for an agreed action with another part of Government.

7. 23/24 Business Plan

Of the priority areas for devolution in the Levelling-Up White Paper, 6 of the 9 areas now have Mayoral or Directly Elected Leader Deals agreed with only Devon, Plymouth and Torbay, Leicestershire and Hull and East Riding outstanding. Most are looking to April 24 as their start date; some are now considering May 25 (to coincide with local County elections).

In recent months, local devolution work has largely been put on hold awaiting clarity from Government about their appetite for Level 2 Deals. Hopefully, there will be an update but it now seems highly likely that the LEP will continue to operate throughout 23/24 and we are therefore recommending a business plan and Governance review accordingly.

Although not yet confirmed, I would anticipate a similar role for the coming year as set out in last year's offer letter, namely:

- a. **Embed a strong, independent and diverse local business voice** into local democratic institutions.
- b. Carry out **strategic economic planning** in partnership with local leaders that clearly articulate their area's economic priorities and sectoral strengths. This should involve building and maintaining a robust local evidence base that identifies local strengths and challenges, future opportunities and the actions needed to support priority sectors, aligned to the relevant levelling up missions. The nature of this role will depend on individual LEPs' integration pathway. Across all pathways, LEPs, or local democratic institutions where LEP functions and roles have been integrated, should continue to use their convening power to bring together business, education and other local economic stakeholders.
- c. **Continue to deliver** several functions on behalf of government departments, shaped by the local business voice where relevant. Future programme and funding decisions will be taken by each respective department according to their decision-making and business planning processes, priorities and timescales. However, at the present juncture, we would expect departments to continue to engage with LEPs, or

Agenda Item 4

begin to engage with the respective local democratic institution once LEP functions have been integrated, into the delivery of:

I. **Growth Hubs**, on behalf of the Department for Business, Energy and Industrial Strategy;

II. **International trade and investment** activity, provision of local business intelligence, grant funding and levelling-up focused projects, on behalf of the Department for International Trade;

III. Local **Digital Skills Partnerships**, on behalf of the Department for Digital, Culture, Media and Sport;

IV. **Careers Hubs**, on behalf of the Department for Education;

V. Local skills analysis **via Skills Advisory Panels**, on behalf of the Department for Education;

VI. Monitoring and assurance of existing local growth programmes and funds for which LEPs are responsible.

d. Where appropriate, LEP business boards can help **broker and support new or deeper devolution deals**, where requested by local partners. New or deeper devolution deals will not need to be signed off by LEPs.

To deliver our responsibilities we are proposing an updated business plan for 23/24-slide deck attached Appendix 1 - and a Governance Review – Terms of Reference in Appendix 2 -, partly triggered by the change of representation in Somerset but also our gender balance and to amend our operating structure/model in the light of GSW and that we are not yet in a position to integrate with any local devolution arrangements.

8. Great South West – Update

Following the first GSW Partnership Board meeting in early December, a GSW parliamentary reception was held on the 10th of January hosted by Lord Berkeley and Simon Jupp MP (Chair of GSW APPG) and supported/sponsored by 16 local companies. In addition, several food companies were invited by their relevant MPs to promote their offer. Minister of State Dehenna Davison MP spoke on behalf of the Government and some 120 GSW representatives confirmed attendance and some 15 MPs attended.

This was immediately followed by a facilitated GSW Board workshop which agreed to review some of the economic and other data that has changed since we published our prospectus and also our initial comms priorities.

A GSW officer group is scheduled at the end of the month and a Partnership Board meeting is on 22nd February. To deliver these we will be:

- Appointing a search consultant to support us in the appointment of a permanent chair – we have shortlisted a preferred supplier
- Putting in place an Accountable Body agreement and reviewing with Government our Year 1 progress against our agreed milestones

Agenda Item 4

- Progressing our work with the High-Value Manufacturing Catapult and with DIT, our Internationalisation Plan
- Updating and refreshing the GSW prospectus at pace (but focusing on the same key themes) – our consultant will be contacting individual partners directly over the next few days.
- Developing a campaign plan
- Pushing out our comms across the region including events in each of the four Counties
- Agreeing locally and with the Government on our business plan for 23/24

We also currently have 2 funding bids (from the SW Regional Defence Cluster and GeoResources Task Force) that are currently being reviewed.

If you haven't had a chance to read the prospectus you can do so - [GSW Brochure A4_new colours.indd \(greatsouthwest.co.uk\)](#)

Please do also sign up for our newsletter, and follow us on Linked In and Twitter - greatsouthwest_

See separate appendices for:-

Appendix 1 – Draft 23/24 Business Plan

Appendix 2 – Proposed Governance Review

7. Chief Executive's Report

Appendix 2 - Governance Review and Update

Summary

Over the next 6 months, several pieces of governance work are needed and/or recommended. These are outlined below for information and any feedback with relevant references to the National Local Growth Assurance Framework¹ (NLGAF), LEP Assurance Framework (LAF)² and Articles³:

Background

Through a combination of compliance, Somerset local government reorganisation, emergence of Great SW four pieces of work are required.

Vice Chair & SME Champion

Following Karl Tucker's extension of term as Chair, agreed at the October Board, it is necessary to appoint a vice-Chair plus a SME champion. The NGLAF states that best practice is for the vice-chair to be private sector but does not specify an open recruitment process and the LEP's Articles state that the vice-Chair is appointed by Board members (Directors). No guidance is set out how an SME champion is agreed and it is recommended that:

1. Vice-Chair & SME Champion to be agreed at January LEP Board

Merge Strategic Investment Panel and Finance & Resources Committee

With the near-finalisation of the LEP's grant investments, SIP work will largely move to monitoring existing projects during 23/24 rather than making new investment decisions. The exception is the Growing Places loan Fund whose scope is recommended revising as per the draft 23/24 business plan. In order to make best use of LEP Board members' time, streamline secretariat and in recognition of the above changes it is therefore recommended that

2. SIP and F&R are merged into one meeting. Revised terms of reference are attached - the new body (the Operations & Investment Committee) will remain under the Chair of David Bird

Governance Review

Notwithstanding the above, with the establishment of programme boards in 2022, the growing role of Local Skills Improvement Partnerships, continued requirement for Skills Advisory Panels, Somerset unitarisation, requirement to achieve 50/50 gender balance, emergence of Great SW, channelling of future capital funds through local authorities etc there are other multiple changes that affect the LEP's governance structures. It is therefore recommended

3. That the Board appoint a Director to lead a governance review to consider revised Somerset representation on the Board and the composition, role and responsibilities of Board sub-groups. The review would report back to the April LEP Board though consideration needs to be given to some local authority Board members being unable to attend in April due to the pre-election period
4. Terms of reference for the review to be developed through the LEP management team and F&R, including consideration of April pre-election period

¹ [National local growth assurance framework \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

² [HotSW-Assurance-Framework-Aug-22.pdf \(heartofswlep.co.uk\)](#)

³ [HotSW-LEP-Articles-of-Association-8-April-2022.pdf \(heartofswlep.co.uk\)](#)

Changes to Articles re Independent Directors' (private sector) term

Currently the Articles state that independent directors may serve a maximum of 6 years. However Board members have agreed to consider annual extensions beyond this, recognising the difficulty in recruiting new independent Directors with on-going uncertainty over the timescale of LEP integration and a General Election before January 2025. Neither the NGLAF or LAF put any limit on the term of private sector Directors. It is therefore recommended that

5. The Board recommends Members hold a meeting before 1st June to agree amendment of the Articles to allow Independent Directors' terms to be extended. The amendment would be similar to that agreed for the HE Directors in 2022 (Art 23.6) and F&R noted that a maximum term of 9 years is common for non-exec positions. The 2022 HE amendment stated:

“... the Directors shall have the discretion to reappoint as an HE Director any person who holds office as a result of an appointment as an HE Director by the Higher Education Sector Organisations and who has already served at least one period in office of three years, for such period as the Directors shall specify in writing at the time of such reappointment (being one or more periods of up to three years). The Directors may remove an HE Director so reappointed by giving no less than 20 business days' notice in writing to the Higher Education Sector Organisations, the relevant HE Director and the Company”

LEP Scrutiny Committee Work Programme

The Scrutiny Work Programme details the planned activity to be undertaken over the coming months. The items on the work programme are determined by the Committee.

Before an issue is added to the work programme Members should consider:

- Whether the issue is in the public interest
- Is there a change to National Policy?
- Does it affect people across the South West?
- Are there performance concerns?
- Is it a safety issue?
- Can scrutiny add value by looking at it?
- Is it Active? Has a decision already been taken?

The Work Programme will be submitted to and agreed by the Scrutiny Committee at each meeting and will be published on Devon County Council's website with the agenda for each meeting.

The Timescales/dates are indicative of when the Scrutiny Committee will review the item it is however possible that they may need to be rescheduled and new items added as new circumstances come to light.

Date	Masterclass (Members only)	Committee (Public Meeting)
	<p>Purpose: An information sharing and member development session where issues can be presented informally to members to raise awareness and increase knowledge. No formal minutes or notes taken.</p> <p>Frequency: before each Committee meeting as required</p>	<p>Purpose: A formal public meeting where active items are discussed, and actions taken.</p> <p>Frequency: Approx. 3 times a year</p>
9 th February		<ul style="list-style-type: none"> - Combined authority arrangements for Scrutiny, considering lessons learnt and principles going forward
8 th June	<ul style="list-style-type: none"> - Social mobility 	<ul style="list-style-type: none"> - Housing delivery particularly social and affordable housing.
Future Items		<ul style="list-style-type: none"> - Further strategic work with the board - Educational standards across the area, strategy for pre-apprenticeships? To include social mobility work from Exeter University
		<ul style="list-style-type: none"> -
		<ul style="list-style-type: none"> -