

**NORTHAMPTONSHIRE ESIF COMMITTEE**

Chair:

Cllr Andre Gonzalez De Savage Northamptonshire County Council

Deputy Chair:

Melanie Crunkhorn	ERDF Governance Manager, DCLG
Ian Achurch	Head of External Funding & Partnerships, Northamptonshire County Council
Lee Barron	Regional Secretary, TUC
Cllr Tom Beattie	Leader, Corby Borough Council
Simon Bovey	Chairman, Northamptonshire LNP
Steve Boyes	Director of Regeneration, Enterprise & Planning, Northampton Borough Council
Jane Carr	Chief Executive, Voluntary Impact Northamptonshire
Anna Clarke	Employer & Delivery Services Manager, SFA
Daniel Curtis	Principal Officer Sustainable Communities, Environment Agency
Barry Davies	Chair, National Farm Attractions Network
Prof Simon Denny	Director of Research Impact & Enterprise, University of Northampton
Phoebe Edwards	Executive Director, EMB Ltd
Andrea Hughes	Director of Employer Engagement and Marketing, Moulton College
Matt Latham	Programme Manager, Environment Agency
Karen Lewis	Strategic Bidding Manager, University of Northampton
Danny Moody	Chief Executive, Northamptonshire County Association of Local Councils
Jacqueline Moody	DCLG
Jan Pinkerton	Assistant Director, BIS
Emma Powlett	Rural Management Consultant
Anjona Roy	Chief Executive, Rights & Equalities Council Northamptonshire
Amrik Singh	Senior Programme Manager, DWP
Michael Stubbs	Regional Director, DEFRA
Greg Ward	Lead Officer, Economic Development and Tourism, South Northamptonshire Council;
Richard Woods	European Office, Northamptonshire County Council

## **Terms of Reference for the Northamptonshire ESIF Committee**

### **Governance and purpose of Northamptonshire ESIF Committee**

The Growth Programme Board is the Programme Monitoring Committee (PMC) for both the ERDF and the ESF Operational Programmes in England. It will assume the formal role of PMC once the Operational Programmes for the relevant Funds are agreed by the EC.

The local sub-Committee, hereafter the Northamptonshire ESIF Committee, is responsible for the strategic oversight of local investments of both the Structural and EAFRD Growth Programme Funds and their operational delivery in line with the Operational Programme. It reports directly to the Growth Programme Board (PMC). The national PMC will be supported by a number of national thematic and functional subcommittees. The local sub-committees report directly to the PMC, but where relevant will be directed by the national sub-committees as remitted by the PMC.

### **Objective of Committee**

The Northamptonshire ESIF Committee is responsible for the development and delivery of the Northamptonshire ESIF strategy, ensuring that local strategic aims are considered alongside national strategic and operational objectives and that maximum impact is achieved through the Funds, thereby contributing to delivery of the overall national Operational Programmes. It is responsible for ensuring operational delivery of activity supported by the Funds, overseeing the development of an appropriate pipeline of proposals; agreeing investments; and monitoring performance against targets at the Northamptonshire level.

### **Status and accountability of the Northamptonshire Area ESIF Committee**

The Northamptonshire ESIF Committee is an integral part of the governance structure required to deliver the England 2014-2020 ERDF and ESF Programmes through its management of the Northamptonshire ESIF strategy and demonstrates England's commitment to delivery of ERDF and ESF Programmes and allocated EAFRD in the spirit of the partnership principle that is embedded in the Common Provisions Regulations.

The role of the Northamptonshire ESIF Committee is detailed in the Implementing Provisions chapter of the England ERDF and ESF Operational Programmes. The Northamptonshire ESIF Committee will act as a sub-committee of the Growth Programme Board (Programme Monitoring Committee), and on its behalf in any formally delegated areas of business.

Northamptonshire ESIF Committee decisions will be taken using a consistent and transparent process. Agreed minutes and relevant documents (such as details of calls, Opt-In arrangements, reports and case studies) will be published on a publicly accessible site or location. Reports and decisions agreed by the Northamptonshire ESIF Committee will be reported to the Growth Programme Board (and/or its relevant national level sub-committees) and, where appropriate, the

EAFRD PMC by the Managing Authorities. Decisions by the GPB and its sub-committees will be reported back to the Northamptonshire ESIF Committee.

The Northamptonshire ESIF Committee will set up and make publicly available a fair and transparent process for dealing with complaints.

These Terms of Reference form the basis for shadow operation of the Northamptonshire ESIF Committee. Once the Operational Programmes for Funds for which local ESIF Committees are responsible are adopted by the European Commission, Terms of Reference and, thereby, the Northamptonshire ESIF Committee will be formally ratified by the Growth Programme Board (as formal PMC).

The EAFRD PMC will be the PMC for all EAFRD funds. The Northamptonshire ESIF Committee will not be a sub-committee of the EAFRD PMC but will assist the EAFRD Managing Authority by performing the activities set out in the paragraphs below where those activities are relevant to EAFRD spend which is part of the EU Growth Programme.

### **Northamptonshire ESIF Committee Functions**

The Northamptonshire ESIF Committee will act in accordance with the regulations governing ESIF operations and as directed by the Growth Programme Board (PMC). It will support delivery of the Operational Programmes at the local level in the following ways, having due regard to the impact on equalities throughout in accordance with the Public Sector Equality Duty, and making recommendations as to mitigating measures, where appropriate:

- Develop and agree an Implementation Plan with the Managing Authorities (MAs) – a rolling plan reviewed annually setting out how the local ESIF strategy will be delivered and how it will contribute to the Operational Programmes, including any cross-boundary working with other LEP areas.
- Develop and agree with the MAs the entry routes into the Programme and how progress will be tracked, including (1) type of calls for operations, timing of calls, scope and fit with local priorities as identified in the Northamptonshire ESIF Implementation Plan; and (2) delivery through Opt-In organisations, and scope and fit with local priorities as identified in the Northamptonshire ESIF Implementation Plan. This will reflect a clear understanding of the types of project which will attract funding.
- Agree work with the MAs to develop local promotion and publicity for the opportunities that the Funds provide for economic growth. The MAs will also promote calls for investment as part of their MA function. Such promotion must be directed towards all relevant local partners and the Committee must monitor its effectiveness.
- Develop a pipeline of operations that meet local needs in line with the Operational Programmes, Northamptonshire ESIF strategy and Implementation Plan.

-

- Discuss and agree with the MA arrangements for oversight of procured provision with Opt-In organisations and wider engagement.
- Assess potential operations at outline and full application stage (including Opt-Ins) against the Northamptonshire ESIF strategy for their strategic fit, value for money, fit with overall ESIF objectives, alignment with relevant local strategies, policies and context and complementarity with interventions funded through local private and public sector sources in an open and transparent manner. Local intelligence will be provided by committee members and, with the agreement of the Northamptonshire ESIF Committee, through written assessment focussing on the above. Any local assessments must use a methodology which is open, fair and transparent and agreed by the Committee.
- Use any local assessment and the MAs' appraisal to make recommendations and agree with the MAs: the selection of operations and Opt-Ins, especially in regard to prioritisation, additional opportunities, and the fit with local needs.
- Agree oversight of delivery of operations and outputs, including working with Opt-In organisations to ensure alignment of procured and competitively selected provision with local priorities and leading discussions with the MAs where performance of operations at a local level is falling behind.
- Agree with the MAs the level and detail of information required to monitor the progress of ESIF implementation against spend, milestones, cross-cutting themes, outputs and results agreed in the Northamptonshire ESIF strategy and Implementation Plan, recommending remedial actions where necessary and relating progress to local indicators.
- Report progress and feed in to national processes as directed by the Growth Programme Board as appropriate (PMC).
- Inform and oversee programme evaluation as appropriate at the local level which will be agreed with and carried out on its behalf by the MAs, including a mid-term review in 2018, in line with the national Evaluation Strategy.
- Ensure there are clear governance and /or working arrangements agreed with the MA for the operation of CLLD and SUD within their local area where they are using these instruments to ensure that all activities supported by the ESIFs are complementary in planning and execution.
- Have the power to form partnerships with other ESIF committees where both Committees, including the MAs, decide this would be appropriate to secure the delivery of projects.
- Have oversight of delivery of programme objectives through Financial Instruments where investment in these has been agreed by the Northamptonshire ESIF Committee and receive reports on their performance.

- Fulfil other functions as appropriate commissioned by the Growth Programme Board or as outlined in the published business process and guidance.
- Propose major ERDF and ESF projects before submission to the Growth Programme Board. Major ERDF and ESF projects agreed at Growth Programme Board (PMC) level will be submitted for a decision by the European Commission.
- Consider and influence the contribution which other European programmes in the programme area are making to the overall strategy for the Structural Funds. Complementary actions between the ESI Funds Growth programme and other European programmes will be considered and pursued via the official routes as appropriate.

### Membership

The composition of the Northamptonshire ESIF Committee will reflect the breadth of partners specified in Article 5 of the Common Provisions Regulations and the Code of Conduct on Partnership, and be representative of the population of the geographic area covered by the Northamptonshire ESIF strategy. In putting together the Northamptonshire ESIF Committee, the LEP and government will have due regard to the Public Sector Equality Duty, taking account of the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people with and without a protected characteristic.

Members are:

Cllr Andre Gonzalez De Savage	Northamptonshire County Council
Melanie Crunkhorn	ERDF Governance Manager, DCLG
Ian Achurch	Head of External Funding & Partnerships, Northamptonshire County Council
Lee Barron	Regional Secretary, TUC
Cllr Tom Beattie	Leader, Corby Borough Council
Simon Bovey	Chairman, Northamptonshire LNP
Steve Boyes	Director of Regeneration, Enterprise & Planning, Northampton Borough Council
Jane Carr	Chief Executive, Voluntary Impact Northamptonshire
Anna Clarke	Employer & Delivery Services Manager, SFA
Daniel Curtis	Principal Officer Sustainable Communities, Environment Agency
Barry Davies	Chair, National Farm Attractions Network
Prof Simon Denny	Director of Research Impact & Enterprise, University of Northampton
Phoebe Edwards	Executive Director, EMB Ltd
Andrea Hughes	Director of Employer Engagement and Marketing, Moulton College
Matt Latham	Programme Manager, Environment Agency

Karen Lewis	Strategic Bidding Manager, University of Northampton
Danny Moody	Chief Executive, Northamptonshire County Association of Local Councils
Jacqueline Moody	DCLG
Jan Pinkerton	Assistant Director, BIS
Emma Powlett	Rural Management Consultant
Anjona Roy	Chief Executive, Rights & Equalities Council Northamptonshire
Amrik Singh	Senior Programme Manager, DWP
Michael Stubbs	Regional Director, DEFRA
Greg Ward	Lead Officer, Economic Development and Tourism, South Northamptonshire Council;
Richard Woods	European Office, Northamptonshire County Council

Jo Lappin and Sajeeda Rose of NEP will attend the meetings in an advisory capacity. The Board will also invite other officers and individuals to support their work programme as and when necessary, as agreed by the Chair.

### ***Term of Office***

Membership will be for a three year term. The Northamptonshire ESIF Committee will review its membership in 2017 to ensure its composition of skills remain relevant to investments still to come forward through the Programme. Where members leave before that time, representatives will be sought again from the sector/organisation they are representing.

Membership will also be refreshed as needed to reflect any changes in relevant EU and national regulations (and policy) as directed by the Growth Programme Board (PMC).

### **Roles within the Northamptonshire ESIF Committee**

Successful delivery of funds within the EU Growth Programme will depend on close working between the MA and Local Enterprise Partnerships and wider partners. This will be based on a clear split of roles and responsibilities and the Northamptonshire ESIF Committee will provide a formal basis for this relationship. For the Northamptonshire ESIF Committee, the LEP will convene local partners on a fully inclusive basis consistent with the good practices and principles in the European Code of Conduct on Partnership

The Chair will be selected from amongst members of the Northamptonshire ESIF Committee by consensus. The LEP will organise the selection process, supported by the Managing Authority. In the absence of a candidate or in the absence of a consensus decision being reached the ERDF or ESF Managing Authority will undertake the role of Chair until such a consensus is reached at which time the consensus candidate will take office and the ERDF or ESF Managing Authority representative will stand down into the Deputy Chair role.

The Managing Authorities are responsible for managing the Operational Programmes in accordance with the principle of sound financial management. The ERDF or ESF MA will

act as Deputy Chair, unless the Northamptonshire ESIF Committee has appointed the Managing Authority as Chair. The other Managing Authorities (ERDF or ESF and EAFRD) will be members of the committee.

All Members should:

- Be empowered to speak on behalf of their sector and its constituencies, providing the agreed position in relation to issues discussed at meetings
- Have an understanding of the economic context in Northamptonshire
- Understand local investment priorities and have knowledge of the local conditions, needs and opportunities to bring forward operations that meet the strategy and objectives set out in the national Operational Programmes
- Be familiar with the Northamptonshire ESIF including Cross Cutting Themes and the outputs and results sought
- Work collectively to identify solutions or innovative ways to deliver Programme aims within EU Regulations
- Understand the strategic context for investment decisions taken and be able to take part in discussions around project investment
- Offer analytical input to the issues / investments under discussion
- Access a wider network for advice on specific issues.

### **Principles of Engagement**

The Northamptonshire ESIF Committee chair will ensure members are aware of their obligations relating to data protection, confidentiality and conflict of interest.

Members will be required to complete a register of relevant interests (including pecuniary and non-pecuniary, personal or other interests, and declaring any gifts or hospitality received in their capacity as Member). Members will also be required to declare an interest in any agenda items where a decision is required and the decision may cause a direct material impact, financial or otherwise, either personally or to the organisation or institution they are representing. In such circumstances it will be a matter for the Chair to decide if the member can attend and/or contribute to the discussion, but Members may also choose to absent themselves for the duration of that discussion to avoid actual or any appearance of undue influence. Conflicts of interest should be identified to the Chair and minuted. At least once in every 12-month period, all Members must review the information relating to him or her contained in the register of interests and declare that the information is correct or make a further declaration if necessary. Members must also report any

suspicions of fraud or malpractice to the Committee so that this can be escalated to the MA and GPB as appropriate.

The Northamptonshire ESIF Committee will objectively review proposals for their ability to deliver the aims of the Operational Programmes, the ESIF strategy and value for money, and their alignment with relevant national policies. The Managing Authorities cannot agree to the selection of operations that do not fit the Operational Programmes and/or are non-compliant with the regulations governing the Programme. They are obliged to overturn advice from the Committee to invest where a proposal cannot demonstrate compliance with EU Regulations or fit with the national Operational Programmes.

The Managing Authorities will not approve any operations that have not been agreed by the Northamptonshire ESIF Committee as meeting the ESIF strategy for which the Northamptonshire ESIF Committee is responsible. Collaboration is key to driving economic growth regardless of administrative boundaries, so the Northamptonshire ESIF Committee will commit to investigating opportunities for delivering activity in collaboration with other areas in England where sensible and appropriate.

Recommendations of the Northamptonshire ESIF Committee in relation to individual investments remain confidential until such time as the MA informs members that a formal decision has been made.

### **Decision Making**

Decisions will be taken by consensus; by exception dissent from a majority decision will be recorded in the minutes. The Chair does not hold a deciding vote where consensus is not reached.

### **Recording Meetings**

All meetings and decisions will be minuted. Minutes will normally be circulated no later than 10 working days after a meeting for approval by members (with a nil response taken as endorsement). Minutes will be agreed by the Northamptonshire ESIF Committee as confirmation of a true record of a meeting.

### **Attendance**

Members must be able to attend regularly and be able to devote necessary time to any preparatory work. Members missing more than 30% of meetings in a twelve month period or three meetings in a row may be asked to step down by the MA in its role as Secretariat after consultation with the Chair.

Members unable to attend are not permitted to send a substitute unless the substitute has been agreed in advance by the Chair; it is suggested that all members should nominate a deputy for this purpose. Members who cannot attend may either write to the Chair through the Secretariat prior to

the meeting expressing views to be taken into account, or mandate their deputy to give views on their behalf.

The organisation that the member represents shall be responsible for reimbursing any reasonable expenses incurred in attending meetings of the Northamptonshire ESIF Committee by that member.

### **Meeting Arrangements**

Meetings will typically take place quarterly, but may be required more frequently. Meeting dates for each calendar year will be provided in advance. The ERDF/ESF Managing Authority will provide the secretariat for the Northamptonshire ESIF Committee, managing dates, venues, minute taking, recording decisions and collating and circulating papers, working closely with the Committee and the Chair. Agendas will be agreed between the Chair and the lead Managing Authority. Members may propose agenda items via the Chair.

Papers will be electronically circulated a minimum of 5 working days in advance of a meeting. Any paper not so circulated will not be considered without a majority of the Committee agreeing to do so on a case by case basis.

The Managing Authorities will provide and present:

- Appraisal reports and recommendations
- ESIF level performance progress report, identifying any issues for consideration
- Messages from Growth Programme Board (PMC) and, where appropriate, its national level sub-committees
- Minutes of last meeting for approval; decisions will be made publicly available.
- Other items as agreed in advance with the Chair.

The Chair may, where necessary, circulate papers or proposals to members via the Secretariat for agreement by written procedures, with two weeks allowed for comment, unless exceptional circumstances dictate otherwise. Nil responses will be taken as endorsement. It should be assumed that such comments will be considered unless Committee members are advised otherwise.

### **Quorate**

Meetings of the Northamptonshire ESIF Committee may proceed without a quorum of members present, but in those circumstances in principle decisions will be made for ratification at the next quorate meeting or in writing by the full Northamptonshire ESIF Committee. For these purposes a

quorum is considered to be not less than 60% of the total number of Group members. It is for the Chair to be satisfied that the quorum constitutes a sufficient cross-section of member interests.

**Dispute Resolution**

Where the Committee is unable to reach a consensus or is not acting in accordance with the Terms of Reference or the Code of Conduct, such that members wish to escalate this to the Growth Programme Board (PMC), the national level [Performance management] Sub-Committee will be the mechanism for resolving such disputes.