

APPENDIX 6

TERMS OF REFERENCE OF THE INFRASTRUCTURE BOARD

Infrastructure Board

Terms of Reference

1. Purpose and Role

1.1 The purpose of the Infrastructure Board is to drive the development and delivery of the SCR's thematic programme and activity on this theme.

1.2 The role of the Infrastructure Board is to:

- Shape future policy development and priorities on issues related to infrastructure;
- Develop infrastructure programmes;
- Make investment decisions up to £2 million within the agreed budget and policy on infrastructure, as delegated by the Mayoral Combined Authority (MCA);
- Accept grants with a value of less than £2 million; and
- Monitor programme delivery and performance on infrastructure.

2. Responsibilities

2.1 The Infrastructure Board is responsible for:

Funding

- Approving, deferring or rejecting applications for infrastructure projects in the SCR's pipeline that fall within the financial limit of delegated authority, and which are within the infrastructure budget agreed by the MCA and Local Enterprise Partnership (LEP);
- Making recommendations to the MCA to approve, defer or reject applications for infrastructure projects in the SCR's pipeline that exceed the financial limit of delegated authority, and which are within the infrastructure budget; and
- Making recommendations to the LEP to approve, defer or reject applications for infrastructure projects to form part of the SCR's pipeline.

Strategy and Policy

- Ensuring that infrastructure policy agreed by the MCA and LEP is enacted effectively through appropriate investments;
- Reviewing economic intelligence and evidence of SCR economic performance on infrastructure (e.g. land values, new commercial floorspace by grade, commercial property rental values, broadband access and speed) and identifying propositions to accelerate growth; and
- Developing and managing relationships with key stakeholders and partners.

Programme Delivery

- Commissioning of activity to deliver and implement the SCR's priorities on infrastructure;
- Monitoring infrastructure programme and project delivery; and
- Overseeing the management of the SCR Enterprise Zones.

Performance and Risk Management

- Reviewing project performance, outputs and outcomes;
- Identifying and recommending mitigations for any programme risks or poor performance; and
- Escalating any strategic, policy or programme risks to the MCA and LEP Boards.

2.2 The Infrastructure Board will provide leadership on the following thematic issues:

- Enterprise Zones
- JESSICA Fund
- Integrated Infrastructure Plan development
- Energy
- Broadband
- Commercial land development, including site access from the strategic transport network

2.3. The Transport Board will be consulted on commercial development projects which incorporate link roads or junction improvements but decisions on such projects will be taken by the Infrastructure Board.

2.4 Mixed commercial and residential development schemes will be discussed by both the Infrastructure Board and Housing Board. Decisions on mixed schemes which are largely commercial, or where the main beneficiary is commercial, will be taken by the Infrastructure Board.

3. Delegated Authority

3.1 In order to enact its responsibilities, the Infrastructure Board will have delegated authority from the MCA to approve investment decisions for agreed pipeline projects up to £2 million.

3.2 The Infrastructure Board will have delegated authority to accept grants with a value of less than £2 million.

- 3.3 The Infrastructure Board will have delegated authority to accept a tender or quotation for the supply of goods, materials or services for which financial provision has been made in the Authority's Revenue Budget up to a limit of £200,000.00 in value for any one transaction.
- 3.4 The Infrastructure Board may refer a matter or decision within their delegated authority to the MCA or LEP.

4. Membership

- 4.1 The Infrastructure Board will be co-chaired by a member of the MCA and a private sector LEP Board member.
- 4.2 Membership of the Infrastructure Board will comprise of:
- One Leader from a MCA constituent Local Authority;
 - A nominated representative for each of the remaining three constituent Local Authorities;
 - A lead Chief Executive from a constituent Local Authority
 - Two private sector LEP Board members; and
 - The SCR MCA Head of Paid Service (or their nominated representative).
- 4.3 Board members can nominate a deputy to attend meetings of the Board in their absence. All deputies must be named and must complete a Register of Interests Form.
- 4.4 A representative from each of the non-constituent Local Authorities can attend and participate in the meetings but not vote.

5. Frequency

- 5.1 The Infrastructure Board will meet on an eight-weekly cycle.

6. Secretariat

- 6.1 The Sheffield City Region Executive Team will provide the secretariat for the Infrastructure Board.
- 6.2 Papers and presentations for Board meetings will be circulated to Board members five clear working days in advance of the meeting.

7. Attendance

- 7.1 Consistent attendance at the Infrastructure Board meetings is essential and attendance will be recorded.

8. Quorum

- 8.1 Meetings of the Infrastructure Board will be quorate when five members are present and provided that there are at least 2 constituent Local Authority elected member representatives and one LEP member present. A member who is obliged to withdraw under the Code of Conduct for Members shall not be counted towards the quorum.
- 8.2 A Board member may be counted in the quorum if they are able to participate in the meeting by remote means e.g. telephone, video or electronic link and remain available for the discussion and decision items on the agenda.

9. Decision Making

- 9.1 Board decisions are legally taken by the Head of Paid Service (or their nominated representative) in consultation with the Chair of the Board. By protocol, decisions will not be taken unless there is Board consensus for the decision. Where consensus cannot be reached the issue will be escalated to the MCA and/or the LEP as appropriate for final decision.
- 9.2 Decisions made by the Infrastructure Board will be presented to the MCA in a written Delegated Decisions Report at the next meeting. As the delegating body, the MCA will have the right to review or amend decisions made by the Infrastructure Board where such decision has not been acted upon subject to giving due reason for doing so.

10. Conflicts of Interest

Register of Interests

- 10.1 All Board Members must complete a Register of Interests Form within 28 days of being appointed to the Infrastructure Board. This must disclose any disclosable pecuniary interests (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) for the Member, their

spouse, their civil partner or partner. Completed Register of Interests Forms for all Board Members are published on the SCR website.

10.2 It is the responsibility of every Infrastructure Board Member to ensure that their Register of Interests Form is up-to-date.

10.3 Interests declared by Infrastructure Board Members will be listed on the SCR's Register of Members' Interests.

Declarations of Interest at Board Meetings

10.4 It is the responsibility of Board members to declare any disclosable pecuniary interest (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) and any other personal interests whether financial or non-financial in specific agenda items at the start of each Infrastructure Board meeting.

11. Decisions between meetings

11.1 This procedure is to be used only by exception.

11.2 When a matter or decision falls outside the parameters of the meeting cycle, the Infrastructure Board will be permitted to make decisions through this procedure. If the matter is a Key Decision the procedure in Part 5B (Access to Information Procedure Rules) of the Constitution also needs to be complied with.

11.3 The Head of Paid Service (or their nominated representative), in consultation with the Chairs of the Infrastructure Board, will contact Board Members by email to notify them of the following:

- Details of the matter requiring comment and/or decision;
- The name of the person or persons making or putting forward the proposal/decision
- The reason why the matter cannot wait until the next Board; and
- The date responses are required by.

Two working days after the close of responses, the following will be circulated to all Board Members:

- The outcome of the decision taken noting that for a decision to be agreed the unanimous agreement of all those Board Members that respond by the date set for responses is needed;
- The date when any decision comes into effect; and

- Any mitigating action taken to address stated views or concerns.

11.4 Decisions and actions taken will be retrospectively reported to the next meeting of the Infrastructure Board and MCA in accordance with paragraph 9.2 above.

12. Advisory Groups

12.1 The Infrastructure Board will be supported in making investment decisions by the SCR's independent Appraisal Panel. The Appraisal Panel will assess all applications for funding and will present their findings and recommendations to the Board on whether the application should be approved, deferred or rejected.

12.2 The Infrastructure Board is permitted to form Task and Finish groups of key stakeholders and advisors to assist in the management and monitoring of individual programmes or projects. Any such groups are purely advisory and must submit reports to the Infrastructure Board.

13. Transparency

Key Decisions

13.1 Decisions to be taken by the Infrastructure Board will be published in the SCR Forward Plan of Key Decisions on the SCR website 28 days in advance of the decision being made.

13.2 Questions and comments submitted by the public on the pending decisions will be notified to the Infrastructure Board and will be responded to in writing.

Meeting Papers

13.3 Agendas and papers for the Infrastructure Board will be published on the SCR website at least five clear working days before the meeting date.

Exemptions

13.4 Where reports or information for Board meetings is exempt from disclosure under Section 12A of the Local Government Act 1972 or the Freedom of Information Act 2000, these papers will either be reserved or specific information in the paper will be redacted.

13.5 Reserved papers and reports can still be requested under the Freedom of Information Act. Requests will be considered on a case by case basis

(taking into consideration such factors as timing, any applicable exemptions and the public interest test).

Meeting Record

- 13.6 Draft minutes will be published on the SCR website within ten days of the Infrastructure Board meeting taking place. The meeting record (approved minutes) will be published on the SCR website within ten clear working days of the subsequent Infrastructure Board meeting.

14. Amendments to Terms of Reference

- 14.1 These Terms of Reference will be reviewed annually. Any changes will be approved by the MCA and LEP.