



London Local Enterprise Partnership Constitution

1 Purpose

- 1.1 The purpose of the London Local Enterprise Partnership ("the Partnership") is to advise the Mayor of London on action to support and promote London's economic development including support in the development of a long-term vision for economic development in London.
- 1.2 The London Local Enterprise Partnership is known as LEAP (London Economic Action Partnership) and its full Terms of Reference are included at Part 2 of Annex A.

2 Board and Membership

- 2.1 The Partnership will comprise the Mayor and those other Members (including Deputy Chair/s and any ex officio Members) appointed by him representing such categories of membership as he considers will best further the Partnership's purpose. The Mayor may vary the categories (e.g. Greater London Authority, London Councils, business sector, other) and number of members of the Board at any time subject to prior consultation with the Deputy Chair/s and following consideration of any guidance and/or legislation set out by HM Government in relation to local enterprise partnerships.
- 2.2 The Mayor will be Chair of the Partnership Board. The Mayor will appoint one or more Deputy Chairs, one of whom must be a business sector representative. In the Mayor's absence, the Deputy Chair/s will chair meetings.
- 2.3 Board Members (other than any nominated by London Councils, those appointed by virtue of another role they hold (i.e. ex officio Members), or those already appointed to positions of employment or elected office at the Greater London Authority (GLA) or board membership or employment at a GLA functional body) will be recruited and selected in accordance with the [GLA's Protocol on Mayoral Appointments](#).
- 2.4 Members that London Councils nominate will be subject to confirmation and appointment by the Mayor.
- 2.5 Except where Board Members are appointed by virtue of another role they hold, Board Members are to act in an individual capacity and not as representatives of any organisation or body in which the Member holds any position, including one of employment.

3 Length of tenure

- 3.1 The Mayor shall set the length of tenure for all Board Members in their letter of appointment. The Mayor may re-appoint a person to be a Board Member at the

end of their tenure (under which circumstance the conditions set out in paragraph 2.3 will already have been considered met).

- 3.2 Where London Councils notify the Mayor in writing that one of its nominees is no longer to act as a Board Member for London Councils, the respective membership ends with immediate effect.
- 3.3 A Board Member may resign at any time by giving notice to the Mayor in writing, having immediate effect.
- 3.4 The Mayor, following consultation with the Deputy Chair/s, may terminate a Member's appointment to the Board before the expiry of his/her period of appointment.
- 3.5 Without prejudice to 3.4 above, an appointment may be terminated by the Mayor in consultation with the Deputy Chair/s if the appointee persistently fails to attend meetings without reasonable justification.

4 Quorum

- 4.1 Meetings of the Board will be quorate when half of its Members are present. A Member who is obliged to withdraw under the Code of Conduct for Members shall not be counted towards the quorum.
- 4.2 For the purpose of determining whether a quorum is present, a Board Member may be counted in the quorum if they are able to participate in the proceedings of the meeting by remote means e.g. telephone or video link (or equivalent) and remain so available throughout the discussion and decision for each item for which they are counted as part of the quorum.

5 Voting

- 5.1 It is envisaged that Partnership decisions shall be made by consensus.
- 5.2 The Partnership shall consider any guidance issued by HM Government in respect of decision-making.
- 5.3 In the event of a consensus not being reached, a decision can, at the request of the person chairing the meeting or any single Member present be put to a vote of those Members present at the meeting and entitled to vote (including those participating by remote means as above). Each Board Member shall have one vote subject to any obligation they have not to participate under the Code of Conduct for Board Members.
- 5.4 Voting shall be by a show of hands (or verbally where a Member is attending by remote means) and all decisions (other than those of procedure taken by the person chairing the meeting) shall be by a simple majority of votes cast.
- 5.5 In the case of an equality of votes, the person chairing the meeting may exercise a second or casting vote.

6 Organisational Arrangements

- 6.1 The Board will meet quarterly or as the Chair and Deputy Chair/s agree between them.
- 6.2 The Chair, Deputy Chair/s or any three Board Members following consultation with the Chair or Deputy Chair/s may request the Secretary to convene an emergency or special meeting of the Board which shall be held as soon as reasonably practicable after the request is made.
- 6.3 Reasonable notice (ordinarily at least five clear working days) must be given to Board Members of any other Board meeting.
- 6.4 The agenda, all reports and other items for consideration by the Board must be published and circulated five clear working days prior to the meeting (excluding an emergency or special meeting of the Board). Only in exceptional circumstances, and with the agreement of the Chair (or in the absence of the Chair by one of the Deputy Chairs in consultation with the other), will the agenda and reports be tabled at the meeting or circulated within the five clear working day period. Papers will normally be circulated in electronic form.
- 6.5 The Partnership's secretariat shall record the names of all Board Members and additional attendees present at a meeting in the minutes. The minutes of the meeting shall be prepared by the Partnership secretariat and shall be submitted for approval as to their accuracy to the next meeting.
- 6.6 The Mayor will appoint a member of GLA staff who will act as the Partnership's Secretary.

7 Urgency procedure

- 7.1 If the Partnership has urgent business which needs to be considered before the next scheduled meeting, the Chair, or in the absence of the Chair, one of the Deputy Chairs in consultation with the other may convene an urgent meeting of the Board where circumstances allow.
- 7.2 In order to ensure that the Partnership is able to progress its business in an efficient manner, urgent matters may be determined by agreement of the Chair or in the absence of the Chair by one of the Deputy Chairs in consultation with the other, through the following procedure.
- 7.3 Board Members will receive an email notification which identifies:
 - Details of the matter requiring decision or views and the reason for urgency (including an explanation as to why an emergency meeting is not proposed to be held to conduct the business);
 - The date responses are required by;
 - The name of the person or persons making or putting forward the proposal/decision; and
 - A time and date by which Members' responses are required before the Chair or Deputy Chair/s take the decision.

- 7.4 Two working days after the close of responses, the following will be circulated to all Board Members:
- The outcome of the process/decision taken by the Chair/ Deputy Chair/s (including responses received in agreement and responses received in disagreement); and the date when any decision comes into effect; and
 - Any mitigating action taken to address Members' stated views or concerns.
- 7.5 Where the Chair or the Deputy Chair/s have taken a decision under this procedure a report concerning the action taken will be placed on the agenda for the next scheduled meeting of the Partnership (as a matter for notification only).
- 7.6 Alternatively, decisions which are reserved to the Board under the Schedule of Funding Responsibilities (Annex B) may be considered by the appropriate subordinate body if a decision is required prior to the next scheduled meeting of the Board. In such cases, Members of the Board shall be invited to attend an subordinate body meeting for that decision and will be provided with a copy of the relevant report in advance of the meeting. The next scheduled meeting of the Partnership will also receive a report concerning the action taken (as a matter for notification only).

8 Subordinate bodies

- 8.1 With the approval of the Chair and the Deputy Chair/s, the Partnership Board may establish or dissolve subordinate bodies which assist in meeting its objectives. Any such subordinate body set up by the Board shall include one or more Board Members, as nominated by the Board. Any such group may also co-opt onto it any independent person with the relevant expertise - judged against pre-determined criteria - on the issues within the remit of these groups.
- 8.2 Subordinate bodies may be of an advisory nature or with powers delegated to them in respect of an element of the Partnerships' remit (taking due consideration of any guidance or legislation issued by HM Government in respect of local enterprise partnerships).
- 8.3 Any such subordinate body set up by the Board shall include one or more Board Members, as nominated by the Board. With the consent of the Chair, any such body may also co-opt onto it any independent person with the relevant expertise - judged against pre-determined criteria - on the issues within the remit of these groups.
- 8.4 The Chair/Co-Chairs of a subordinate body will be agreed by and may be drawn from the Membership of the Board or an independent person co-opted to the subordinate body.
- 8.5 The Chair and Deputy Chairs of the Partnership Board have the right to attend any subordinate body meeting. Other Partnership Members, who are not Members of the subordinate body, may at the invitation or with the consent of the Chair/Co-Chair/s of the subordinate body, attend a subordinate body meeting.
- 8.6 The remit and Terms of Reference for any such subordinate body shall be approved by the Board.

- 8.7 Unless otherwise directed by the Board, and set out within the Terms of Reference of the body concerned, the quorum for a subordinate body shall be any three members of the subordinate body.
- 8.8 All such co-opted persons appointed as members of such subordinate body are expected to comply with the body's Terms of Reference and Code of Conduct for Members of the Panel in the same way as if they were Board Members.
- 8.9 Annex A outlines the current subordinate body structure and procedures applying to them.

9 Openness and transparency

- 9.1 The Mayor is committed to openness in his administration and is committed to making the work of this Partnership (and any subordinate body of this Partnership) transparent in line with Mayoral policy and stakeholder expectations.
- 9.2 Agendas and reports for the Partnership and any of its subordinate bodies will be posted on the Partnership's website at least two clear working days before the meeting to which they relate.
- 9.3 In line with the GLA's openness and transparency policy, all information should be accessible unless one or more of the exemptions set out in the Freedom of Information Act 2000 (FOIA) or Environmental Information Regulations 2004 (EIR) applies or publication would be prohibitively costly.
- 9.4 Reports will be released with the agenda except in those cases where the Chair reasonably considers that information contained in the reports may be exempt from disclosure under an applicable exemption under the Freedom of Information Act 2000 (FOIA).
- 9.5 The main exemptions that are likely to make information reserved from publication relate to the following (although others may be available under the FOIA):
- commercial sensitivity
 - information provided in confidence
 - personal data
 - legal professional privilege
 - information intended for publication at a future date
 - prejudice to the free and frank provision of advice and exchange of views
- 9.6 Reports reserved from publication can still be requested under the FOIA, at which stage the GLA, as the Partnership's accountable body, will consider these requests on a case by case basis (taking into consideration such factors as timing, any applicable exemptions and the public interest test).
- 9.7 The meetings themselves will not be public to reflect the accountability arrangements Parliament has put in place for the GLA; that is that the Mayor is answerable to the Assembly through Mayor's Question Time only after he has taken decisions.

- 9.8 Summary minutes of the meetings of the Partnership and its subordinate bodies will be posted on the Partnership’s website within two weeks of the meeting to which they relate.

10 Code of Conduct & Declaration of interests

- 10.1 When undertaking work in connection with the Partnership, Partnership Members are required to agree to comply with the standards and processes relating to conduct as detailed in the Code of Conduct (“the Code”) as set out in letters of appointment and any relevant applicable provisions of the GLA Group’s Corporate Governance Framework Agreement (as approved and amended from time to time).
- 10.2 The Code will include provisions in relation to adhering to the seven principles of public life (‘the Nolan principles’) and the potential disclosure and registration of personal interests where they are affected by the work of the Partnership.
- The Mayor reserves the right to amend the Code, in consultation with the Chair and the Deputy Chair/s of the Partnership. Partnership Members will be given notice of any such amendment and the opportunity to comment at a Partnership meeting.

11 Meetings and other issues

- 11.1 Meetings shall be held on a quarterly basis or at such other intervals as the Board or subordinate body may agree.
- 11.2 However, if the Chair or Deputy or Co-Chair/s of the Board or Body agree that a meeting is not necessary, the meeting may be cancelled. The Chair of the Board or of a subordinate body may also call additional meetings or informal meetings / workshops as required.

12 Amendments to this Constitution

- 12.1 The Mayor may amend this Constitution at any time following consultation with the Partnership or if urgent, in consultation with the Deputy Chair/s. Any changes will be reported at the next meeting of the Board.

13 Annexes

- Appendix A – Board, subordinate bodies structure, terms of reference and procedures.
- Appendix B – Schedule of Funding Responsibilities.

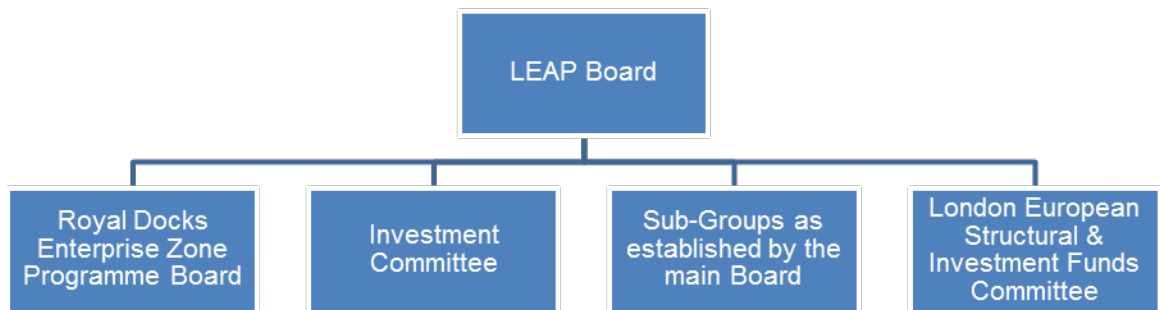
Board, subordinate bodies structure, terms of reference and procedures

Part 1: Introduction

General

1. The membership, role and Terms of Reference of the Board of the London Local Enterprise Partnership ('the Board') are set out in Part 2 of Annex A below and also in the body of the constitution.
2. As established under this Constitution, the Board has two standing subordinate bodies and the Terms of Reference for these are set out in Annex A Parts 3-4 below.

Governance Structure



Terms of Reference

3. The Terms of Reference for each of the subordinate bodies specified above are detailed overleaf. Membership will vary from time to time but all appointments are made in accordance with the Terms of Reference specified.

Part 2: London Local Enterprise Partnership Board

Introduction

1. The London Local Enterprise Partnership ('the Partnership') is established by the Mayor as an advisory unincorporated Mayoral Appointed Body under section 30 of the Greater London Authority Act 1999.

Terms of Reference

2. The Terms of Reference of the Board shall be as follows:
 - a) To support the development of a long-term vision for economic development in London, including support for delivering the Mayor's statutory Economic Development Strategy;
 - b) To identify and lead on specific priorities for economic development in London, as identified by the Partnership including, but not limited to, the London Growth Hub, the Partnership's business support initiative;
 - c) To advise the Mayor of London on funding allocations as made available to the Partnership and oversee delivery on key work-streams including, but not limited to, the Local Growth Fund;
 - d) To set and deliver the Royal Docks Enterprise Zone economic priorities and allocate funding received through retained business rates growth;
 - e) To provide ongoing strategic oversight of the 2014-2020 European Structural & Investment Funds; and
 - f) To provide a powerful advocacy and lobbying voice as a business-led body supported by London's boroughs and the Mayoralty.

Authority

3. The Partnership is not a legally distinct entity and is thereby established with the Greater London Authority as its accountable body through which it must operate. Recommendations put forward by the Partnership Board are subject always to compliance with the GLA Financial Regulations, Mayoral Scheme of Delegations, GLA Contracts & Funding Code and other applicable GLA policies and procedures (as approved from time to time).
4. The Mayor cannot delegate his statutory functions to the Partnership but can, under section 38 of the Greater London Authority Act 1999, delegate his statutory functions (Mayoral powers) to an officer of the GLA. Therefore any decision under the Board's Terms of Reference above will be subject to formal approval in accordance with the Mayoral Scheme of Delegation (as amended from time to time).
5. In conducting its business, the Partnership must consider any resource implications and have regard to existing GLA processes (e.g. the 'Head of Paid Services' Scheme of Delegations' for Staffing and the 'Head of Paid Services' Staffing Protocol') or the availability of external resource e.g. pro-bono support facilitated by Members of the Partnership.

Membership and Terms of Appointment

6. The London LEP Board comprises the following 16 members:
 - Mayor of London – Chair;
 - Deputy Mayor for Business;
 - Deputy Mayor for Planning, Regeneration & Skills;
 - Mayor of Newham¹;
 - 3 representatives of London Councils (as nominated by London Councils)
 - Trades union representative; and
 - 8 business members², at least one of whom must be from an SME business background and one of whom will be appointed by the Mayor as Deputy Chair.
7. As agreed with HM Government, the Partnership is chaired by the Mayor of London with at least 50% of the wider membership coming from business.
8. Members will ordinarily be appointed for a term corresponding with the Mayor's current electoral term.

Attendance at Meetings

9. Whilst Membership is restricted to Board Members, the capacity is retained to invite outside specialist input either on a standing basis or, where appropriate, on a specific project, topic or initiative.
10. The GLA's Executive Director of Resources or his/her nominee will attend Partnership and subordinate body meetings. Other GLA Executive Directors, Directors and Officers will attend meetings as appropriate or upon the request of the Partnership/Body to facilitate discussion of any given matter. The GLA Head of Paid Staff will attend meetings as he/she deems necessary.
11. The Partnership's Secretary, or a person nominated by the Secretary, will attend to provide secretarial and logistical support, take the minutes of the meeting and provide advice on governance and procedural matters.

Lead Officer

12. The Lead Officer will be the GLA's Executive Director of Development, Enterprise & Environment.

Reporting Procedures

13. Recommendations to the Board shall be by way of a report to the relevant meeting and will normally be issued to Members a minimum of 5 working days before the meeting.

¹ Subject to a legal agreement with the London Borough of Newham (LBN) in relation to the collection and use of the Royal Docks Enterprise Zone income which is wholly located within LBN.

² Business members are recruited through an open, transparent and non-discriminatory competition which assesses each candidate on merit.

Frequency of Meetings

14. Meetings shall be held quarterly or at such other intervals as the Board may agree. However, if the Chair of the Board, in consultation with the Deputy Chair/s, decides that a meeting is not necessary, that person may decide to cancel the meeting. The Chair, in consultation with the Deputy Chair/s, may also call additional Board meetings or informal meetings as required.

Part 3: Investment Committee

Introduction

1. The Investment Committee will be a subordinate body of the London Local Enterprise Partnership Board.
2. The Investment Committee is responsible for overseeing and managing the London Local Enterprise Partnership's programmes and projects as defined within the Partnership's Schedule of Funding Responsibilities.

Terms of Reference

3. The Terms of Reference of the Committee shall be as follows:
 - a) To support the development of programmes for approval by the London Local Enterprise Partnership;
 - b) To consider investment proposals for all London Local Enterprise Partnership projects that fall within the Partnership's Schedule of Funding Responsibilities;
 - c) To monitor performance and delivery of London Local Enterprise Partnership funded programmes and projects, reporting to the Board as necessary;
 - d) To ensure that the London Local Enterprise Partnership achieves value for money in all its activities; and
 - e) To refer any investment proposal it considers to be novel, contentious or repercussive to the London Local Enterprise Partnership Board.

Authority

4. The Committee is authorised by the Board to consider any activity within its Terms of Reference.
5. In conducting its business, the Board must consider any resource implications and have regard to existing GLA and LBN processes and any guidance or legislation issued by HM Government in respect of local enterprise partnerships.

Membership

6. Membership of the Investment Committee shall comprise:
 - The Deputy Mayor for Planning, Regeneration & Skills (Chair);
 - At least two business members of the London LEP Board; and
 - One representative of London Councils as nominated by London Councils.
7. In consultation with the Chair and Deputy Chairs of the Board, the Chair of the Investment Committee has the power to co-opt people with relevant expertise or experience, including non-Members of the Board. On this basis, co-opted Members may be appointed as a full member of the Committee or in an advisory capacity with no voting rights.
8. As with the Partnership Board, membership must reflect any guidance and/or legislation set out by HM Government in relation to local enterprise partnerships.

Attendance at Meetings

15. The GLA's Executive Director of Resources or his/her nominee will attend Partnership and subordinate body meetings. Other GLA Executive Directors, Directors and Officers will attend meetings as appropriate or upon the request of the Partnership/Body to facilitate discussion of any given matter. The GLA Head of Paid Staff will attend meetings as he/she deems necessary.
16. The Deputy Mayor for Business shall receive agenda and minutes of the Investment Committee meetings and have a standing invitation to attend any meeting.
17. The Partnership's Secretary, or a person nominated by the Secretary, will attend to provide secretarial and logistical support, take the minutes of the meeting and provide advice on governance and procedural matters.

Lead Officer

18. The Lead Officer will be the GLA's Executive Director of Development, Enterprise & Environment (or nominee).

Reporting Procedures

19. Recommendations to the Committee shall be by way of a report to the relevant meeting and will normally be issued to Members a minimum of 5 working days before the meeting.

Frequency of Meetings

20. Meetings shall be held bi-monthly or at such other intervals as the Committee may agree. The Chair (or Co-Chairs) of the Committee may decide to cancel meetings or call additional meetings as required.

Part 4: Royal Docks Enterprise Zone Programme Board

Introduction

1. The Royal Docks Enterprise Zone Programme Board acts as a senior level forum to drive forward regeneration and economic growth opportunities within the Royal Docks Enterprise Zone.
2. It is responsible for establishing the Enterprise Zone Delivery Plan for approval by the London Local Enterprise Partnership Board and monitoring its implementation as well as making recommendations on the allocation of funding generated by the uplift in business rates receipts through HM Government's Enterprise Zone business rates retention scheme.
3. Separately, a Royal Docks Advisory Board has been established as a joint public/private partnership advisory board for the wider Royal Docks Opportunity Area. This Board will provide a forum for the GLA, LEAP and the London Borough of Newham to formally engage with and update key stakeholders on activities being undertaken within the Enterprise Zone. The Deputy Mayor for Housing and Residential Development will Co-Chair the Royal Docks Advisory Board with Newham's Cabinet Member for Planning and Regeneration.

Terms of Reference

4. The Terms of Reference of the Royal Docks Enterprise Zone Programme Board shall be as follows:
 - a) To ensure alignment of programme objectives and senior level support for the regeneration of the Royal Docks Enterprise Zone;
 - b) To develop the Royal Docks Enterprise Zone Delivery Plan for submission to the London Local Enterprise Partnership Board;
 - c) To monitor the effective implementation of the Royal Docks Enterprise Zone Delivery Plan by the Royal Docks Officers Delivery Group;
 - d) To receive and approve progress and budget reports from the Royal Docks Officers Delivery Group;
 - e) To resolve, mitigate or escalate high level risks and conflicts that cannot be addressed by the Royal Docks Officers Delivery Group;
 - f) To work closely with the London Local Enterprise Partnership Board and any of its relevant subordinate bodies to ensure the delivery of the Partnership's priorities;
 - g) To report delivery progress and business rate income to the London Local Enterprise Partnership Board and Royal Docks Board on a quarterly basis;
 - h) To receive and approve briefing reports where required; and
 - i) To ensure all decisions relating to spending and funding is subject to all GLA internal approval processes, as the Partnership's accountable body.
5. The Programme Board will be responsible for reporting to the London Local Enterprise Partnership Board and the London Borough of Newham as appropriate.

Authority

6. The Programme Board is authorised by the Board to consider any activity within its Terms of Reference.
7. In conducting its business, the Board must consider any resource implications and have regard to existing GLA and LBN processes and any guidance or legislation issued by HM Government in respect of local enterprise partnerships.

Membership

8. The Royal Docks Enterprise Zone Programme Board will be established as a subordinate body of the London Local Enterprise Partnership Board.
9. The Board will be Co-Chaired by a Partnership Board Member and an elected representative from the London Borough of Newham (as nominated by the Borough). Other Members will be appointed by the Programme Board Co-Chairs in consultation with the Chair and Deputy Chairs of the Partnership Board, the London Borough of Newham and the Greater London Authority. On this basis, co-opted Members may be appointed as a full member of the Committee or in an advisory capacity with no voting rights.
10. The GLA and the London Borough of Newham will have an equal number of representatives on the EZ Programme Board.

Attendance at Meetings

11. The GLA's Executive Director of Resources or his/her nominee will attend Partnership and subordinate body meetings. Other GLA Executive Directors, Directors and Officers will attend meetings as appropriate or upon the request of the Partnership/Body to facilitate discussion of any given matter. The GLA Head of Paid Staff will attend meetings as he/she deems necessary.
12. The Partnership's Secretary, or a person nominated by the Secretary, will attend to provide secretarial and logistical support, take the minutes of the meeting and provide advice on governance and procedural matters.

Lead Officer

13. The Lead Officer will be the Royal Docks Enterprise Zone Director.

Reporting Procedures

14. Recommendations to the Programme Board shall be by way of a report to the relevant meeting. Reports for consideration by the Programme Board will normally be issued to Members a minimum of 5 working days before the meeting.

Frequency of Meetings

15. Meetings shall be held bi-monthly or at such other intervals as the Programme Board may agree. The Chair (or Co-Chairs) of the Programme Board may decide to cancel meetings or call additional meetings as required.

Schedule of Funding Responsibilities

Part 1: General

1. This Schedule of Funding Responsibilities sets out the functions of the London Local Enterprise Partnership to be discharged by the Partnership's subordinate bodies and the GLA.
2. The functions assigned to subordinate bodies under this schedule are subject to the Greater London Authority's decision-making procedures.

Part 2: Funding Responsibilities

3. These funding responsibilities apply to all Partnership programmes and projects:

	Officer-level Programme Board	Investment Committee / Royal Docks Enterprise Zone Programme Board	Board
Endorsement of project and programme expenditure	Project expenditure up to £500,000	Project expenditure over £500,000 and up to £5m	All projects over £5m or any projects considered to be novel, contentious or repercussive All programme-level proposals for expenditure
Endorsement of increased expenditure on approved projects	Increase in project expenditure of less than 5%, only where increased expenditure can be funded within the overall programme and a revised budget less than £500,000	Increase in project expenditure of 5% or more and/or a revised budget over £500,000 and up to £5m	All increases to original project expenditure considered to be novel, contentious or repercussive.
Endorsement of changes in value for money of approved projects	Value for money decrease through reduction in number of primary outputs/outcomes of less than 10%	Value for money decrease through reduction in number of primary outputs/outcomes of 10% or more.	-
Virement between Programme budgets	-	-	All virements between programmes