

**LGNYE MEETING:** 2nd DECEMBER 2016  
**REPORT PRESENTED BY:** James Farrar  
**TITLE OF PAPER:** EXPANSION OF LEP INFRASTRUCTURE BOARD RESPONSIBILITIES TO COVER PUBLIC ASSETS

## 1.0 Purpose of the Report

- 1.1 To seek agreement regarding the expansion of the remit of the LEP Infrastructure Programme Board to take on the role of Joint Public Assets Board for the York, North Yorkshire and East Riding LEP area. The Board would become the 'Infrastructure and Joint Assets Board' for YNYER following ratification at the LEP Board on 17 January 2017.
- 1.2 A report on this proposal, including draft Terms of Reference, was considered at the 8 July 2016 meeting of Local Government North Yorkshire and York and a request was made for views from the local authorities in the LEP area, in particular the fourth option authorities that may need to refer such matters to a committee. The 9th June 2016 meeting of the LEP Infrastructure Board supported this expansion in its remit.
- 1.3 There have been no objections received in principle to the establishment of the Joint Assets Board for YNYER but some concerns were raised at LGNYE regarding the role and remit of the Board and the extent to which this would impact upon the decision making of individual local authorities. The report and terms of reference have now been amended (with track changes shown below) to make clear that sovereignty remains with the authorities that own the assets in question and that the Board is a forum for sharing information to encourage a collaborative approach.

## 2.0 Background

### What is a Joint Public Assets Board?

- 2.1 A Joint Public Assets Board is a strategic forum made up of public sector land and property holders within a specified area to promote *joint* working on *asset* management by the partners. The intention is to influence asset disposals and management in a way that supports the local economy. The Board would also provide a forum to share information and adopt a collaborative approach to assets in the area. Projects undertaken by the Board would be intended to allow public sector property holders to work in partnership to explore and identify opportunities for better use of all public land and to generate economic activity. The Board's primary aim would be to achieve a more integrated approach to how the public sector uses its assets in the YNYER LEP area to support growth and deliver better value for public money and efficient use of public land.

### How would it work?

- 2.2 Possession of the assets and decisions about their use, including the use of any capital receipts in the event of a disposal, would remain with the owning body. However, the Board would provide the opportunity to share information and consider use of public assets against strategic objectives and priorities for the LEP area. The Board would be expected to take a more collaborative approach to the management of assets and provision of opportunities for development to support the economy and deliver housing targets.
- 2.3 It is not intended that the Homes and Communities Agency (which would become a member of the new board) or local authorities would delegate ownership decisions on their existing assets to the Assets Board. Sovereignty would remain with the party that owns the interest in question.
- 2.4 A draft Terms of Reference for a YNYER Assets Board is at Annex 1.

### **What difference could it make?**

- 2.5 Public sector bodies are often large landowners in their area and by all organisations using their resources and assets in a collaborative way the Board could help ensure that decisions made by the partner organisations are of best value and impact for the local area, particularly in terms of supporting growth.

### **Membership of the Board?**

- 2.6 Such boards can have a mixture of representatives, dependant on which public bodies are within their boundaries. It is proposed that initially the Homes and Communities Agency be invited to join the YNYER local authorities on this Infrastructure Board as it expands its remit to use of public assets. Other potential future members (either full time or in relation to specific issues and sites) could include:

- Network Rail
- Central government departments, especially those who deliver local services such as MoD, DWP/ Job Centre Plus, HMRC, MoJ
- Health bodies e.g. NHS Property Services, CCGs, NHS trusts
- Police / Ambulance / Fire and Rescue
- Educational bodies e.g. universities and colleges
- Housing associations

Such boards are not necessarily restricted to public estate holders and can be open to attendance from quasi-public sector organisations and private sector stake holders in the area.

### **Key Outcomes**

- 2.7 These are expected to include:
- Mapping of all assets, including both leasehold and freehold, can help to identify opportunities for improving the efficiency and effectiveness of the combined public estate.
  - Freeing up surplus land for housing, employment and regeneration to support implementation of the LEP Strategic Economic Plan
  - Work with the HCA and local partners and potential investors to build a pipeline of investable and deliverable housing investment schemes across YNYER which are aligned to local and national priorities – initially focussed on accelerating the delivery of new homes to around 5,000 a year in YNYER, in accordance with agreed Local Plan housing figures
  - Identify housing investment priorities and timeframes across YNYER to provide a framework for increased public and private investor confidence and for maximising value from national and local public sector land assets, seeking public and private investment partners where appropriate
  - Surplus assets ear-marked for disposal to generate capital receipts which can be re-invested to stimulate economic growth and / or used to reduce deficits
  - Identify opportunities for co-location and making better use of space to reduce the footprint of the public estate and provide opportunities for growth and revenue savings (as costly maintenance and lease costs are minimised)
  - Identifying potential for economic growth and for integration and joint working via stronger joint working and understanding of partner's strategic aims and alignment.
- 2.8 Boards require local leadership with senior management and political buy in to drive delivery and ensure progress is made. A shared vision is critical to collaborative working in partnership, although there will be projects where not all partners would collaborate if the project does not meet their strategic aims.

2.9 Experience with such boards elsewhere suggests it is more practical (and avoids unnecessary bureaucracy) to develop an assets board through existing structures involving key stakeholders - hence this proposal to expand the role of the existing LEP Infrastructure Board, where all the local authorities in YNYER are already represented.

## **Recommendation**

**LGNYY agrees to an expansion of the remit of the LEP Infrastructure Board to include the role of Joint Public Assets Board for the YNYER LEP area. The Board will be known as the LEP Infrastructure and Joint Assets Board, working to the Terms of Reference proposed.**

# The York, North Yorkshire and East Riding Joint Public Assets Board

## Draft Terms of Reference

### Background

- The Local Authorities within YNYER will form a Joint Public Assets Board with the HCA to influence asset disposal and investment in a way that supports the growth of the YNYER economy. The JPAB role will be undertaken by the existing LEP Infrastructure Programme Board, where all YNYER local authorities are represented, with addition of the Homes and Communities Agency and the Chair of the YNYER Housing Board. The Board will be known as the Infrastructure and Joint Assets Board.
- The Board's primary aim will be to achieve a more integrated approach to how the public sector uses its assets in YNYER, to support economic growth and deliver better value for public money.
- It is not intended that the HCA or local authorities or other public sector partners would delegate ownership decisions on their existing assets to the Board. Sovereignty over use of assets, and any capital receipts in the event of disposals, remains with the owner.
- Although initially the Board will focus on assets controlled by / under the management of local authorities and the HCA - over time there is a clear aspiration for the Board to widen its remit to cover the assets / land of other public sector agencies and Government departments.

### Role

- The Board's primary aim is to achieve a more integrated approach to how the public sector uses its assets in YNYER to support economic growth and deliver better value for money.
- Identify and consider the reuse and investment in strategic land and assets within YNYER
- Influence policy and strategy for housing and regeneration within YNYER.
- Influence the defining of priorities and development of a pipeline of projects to promote and deliver housing growth and regeneration within YNYER.
- Support the alignment of housing and regeneration investment across YNYER by the LEP, HCA, local authorities and other public sector partners and the private sector.
- Maintain and keep up to date databases of relevant YNYER information including on surplus land and assets, brownfield land, housing stock, and other housing and regeneration related data.
- Support the value enhancement and promotion of Government and publicly owned assets in YNYER (including those formerly owned by Yorkshire Forward), taking a central role in shaping the policy and influencing decisions on the disposal and reinvestment of these assets to maximise impact on economic and housing growth.
- Develop and oversee a pipeline of publically owned assets / sites across YNYER - ensuring early visibility of proposed disposal routes amongst all partners engaged in the work of the Board.
- Support the public sector partners in working together to explore and promote the benefits that can be gained by considering their respective assets in the locality as a single asset base/ balanced programme; set up a governance structure that will underpin this partnership arrangement for the long term; and implement and promote the opportunities that arise.

### Focus

The Board will initially focus on assets within YNYER that are controlled by / under the management of the HCA and local authorities, except where major opportunities arise to redevelop publicly owned land and assets in the LEP area. Over time there is a clear aspiration for the Board to widen its remit to influence use of the assets/ land of other publicly owned land, including Government departments and former Yorkshire Forward sites not transferred to the HCA.

It is anticipated that the Board will be the place for discussions and agreement on a range of inter-related factors, including:

- Supporting the growth agenda and housing targets, in line with LEP and Housing Board strategy for YNYER and HCA initiatives
- The role of the Board in future transformational projects
- Opportunities to align local and national activity more closely, including delivery of HCA programmes and funding streams
- A more open and transparent approach to understanding the disposal pipeline, including the use of a common database of sites across local and national partners operating in YNYER
- Financial flexibilities – such as deferred receipts
- Adding value to assets (e.g. via the planning process) which can then be retained locally
- Joint management of risk and reward

Although the initial focus will be on HCA and local authority land and property, there is potential for the Board to become engaged in a YNYER-wide 'One Public Estate' Programme in the future (subject to the approval of national and local partners). In the meantime the Board will support partner local authorities who wish to continue/ pursue a 'One Public Estate' approach - with the disposal of any national assets resulting from this approach falling within the scope of this Board.

### **Objectives**

Objectives stated for the Board can be summarised as:

1. Achieve a considerably more integrated approach to management of assets across the public estate within YNYER
2. Improve release of property and land to accelerate growth and economic regeneration and achieve value realisation from the public estate
3. Support delivery of the housing and regeneration ambitions and targets set out in Local Plans, the Housing Strategy and Strategic Economic Plan for YNYER
4. Work in partnership with the YNYER Housing Board to deliver more homes and meet housing needs
5. Seek use of public assets to lever in other public and private sector investment
6. Increasing the efficient use of space to enable the public sector to lower its property running costs, achieve cost reductions and carbon reduction
7. Improved customer access quality, organisational communication and working dynamics by bringing together uses in the same property

### **Activities**

The Board (and its individual members) will work towards a joint strategic approach to:

- Agree a typology of assets to be included for consideration by the Board
- Develop and oversee a pipeline of publically owned assets/ sites across YNYER - ensuring early visibility of proposed disposal routes amongst all partners engaged in the work of the Board
- Raise awareness of the Board, act as ambassadors for the Board's work and ensure that the identified priorities of the Board are reflected in the property related strategies and policies of the organisation they represent on the Board
- Build trust and improve working relationships for the benefit of all partners, including coordination with adjoining LEPs and their asset boards. A shared approach will be taken to assets in areas that fall within two LEP areas and agreement sought between the relevant boards.

- Ensure the availability of accurate, reliable and up-to-date data on property / land assets in order to inform asset management and capital investment decisions.
- Simplify the means by which assets can be shared between partners
- Align opportunities to maximise the combined potential of assets
- Monitor and receive progress reports for individual projects
- Seek to act as arbiter in situations where there are competing demands

## **Focus areas**

Areas for the focus of activity are identified as:

- a. Strategic priorities
  - Work with other public sector partners, including relevant Government Departments and local agencies, to maximise the value and outputs of the Board
  - Create economic benefit and delivery of housing, employment and investment from the management, use and disposal of public land
  - Support increased delivery of housing targets and the meeting of housing needs in conjunction with the YNYER Housing Board
- b. Development opportunities
  - Seek release of land for economic growth, housing and community benefit, use of assets to lever in other public and private sector investment and generation of added value and operational efficiencies by co-locating services
- c. Asset Management
  - Develop a network of public sector land owners to encourage cooperation in meeting strategic and operational objectives, in particular the delivery of housing and growth targets for YNYER.
- d. Mapping, typology and pipeline development
  - Develop openness and visibility of the details of assets held by the public sector partners.
  - Develop an understanding of how all public sector assets within YNYER are held, used and can assist strategies for growth and investment.

## **Constitution**

**As per the Terms of Reference for the LEP Infrastructure Programme Board, except:**

### **1. Board Membership**

Only members of the Board have the right to attend Board meetings. However, other individuals such as external or technical advisers may attend for all or any part of a meeting, as and when appropriate/necessary. If a vote on a decision is required due to lack of consensus, only formal Board Members shall be able to exercise a vote and the decision will reflect the majority view, with the Chair having the casting vote in the event of a tie. A unanimous vote will be required for changes to the terms of reference and constitution.

If a member is unable to attend a meeting due to absence, illness or any other cause, they can nominate a substitute to attend in their place.

Initial membership of the Board consists of the LEP Infrastructure Programme Board and a representative of the Homes and Communities Agency, together with the Chair of the YNYER Housing Board. Other public sector partners may be invited to join the Board on a formal full or part-time basis by agreement of the Board, or on an informal occasional basis in relation to appropriate items for consideration.

## **2. Governance Arrangements and Decision Making**

Organisations would not delegate decisions on the ownership and use of their assets or related capital receipts to the Board. The Board will be established as a local strategic assets forum. Formal decision making on specific property assets and transactions affecting them will remain with the party who owns the interest in question.

The Board will seek to influence the disposal of surplus Government assets, including land ownership options to support growth.

Within the existing YNYER Governance structure this Board will report to Local Government North Yorkshire and York and to the YNYER LEP Board.

Depending on the focus and desired outcome, individual projects and interventions can be delegated to the YNYER Chief Executives Group, YNYER Directors of Development, LEP Performance Group or the YNYER Housing Board.

Recommendations regarding strategic housing and regeneration policy and strategy in YNYER will be reported to the LEP Board / Housing Board / LGNY as appropriate for decision. Recommendations relating to investments by the Homes and Communities Agency will be reported to the HCA Board for decision.

## **3. Appointment of Chair and Vice Chair**

The Board shall nominate a Chair and Vice Chair from amongst its membership.

## **4. Quorum**

The quorum necessary for the transaction of business shall be 5, including the Chair or Vice Chair. A duly convened meeting of the Board at which a quorum is present shall be competent to exercise all or any of the powers or take any decision that would be available to the full Board, except that full Board approval is required to any changes in the constitution or terms of reference of the Board.

## **5. Revisions to Terms of Reference**

The Board may agree revisions to these terms of reference as it considers appropriate. It will not agree changes which require agreement by member organisations except where prior agreement from those member organisations has been obtained.

## **7. Board Members Liabilities**

There is nothing in these terms of reference that is intended to create personal liabilities for Board Members individually or collectively.

## **8. Frequency of Meetings**

As per the Terms of Reference for the LEP Infrastructure Programme Board.

## **9. Confidentiality/ Declarations of Interest**

Information received and discussed by the Board must be treated as confidential in so far as the Freedom of Information acts permit.

Each member on the Board will register any potential conflicts of interest at the point of appointment/ re-appointment. It is the responsibility of Board members to inform the Chair

of any changes to interests which may need be declared during a Board Members term of office.