

## **East of England, ERDF LMC Terms of Reference, membership and working arrangements**

### **1.Role of the East of England ERDF Local Management Committee ( LMC)**

1.1 The LMC is established in accordance with Article 63 of Council Regulation (EC) No. 1083/2006 It will discharge the tasks and responsibilities laid down in Article 65 including:

- Consideration and approval of project selection criteria
- Reviewing progress towards the achievement of programme targets and Priority Axes objectives through receiving and considering performance implementation data
- Receiving and considering consistent, up-to-date management information for the programme, as required by the Managing Authority
- Consideration and approval of Annual and Final Reports
- Consideration and approval of programme evaluations and resulting Operational Programme amendments
- Strategic linkages with other Structural Funds, domestic programmes and wider UK economic policy

1.2 The LMC is responsible for the strategic leadership of the 2007-13 East of England competitiveness programme.

1.3 The LMC will:

- a) Draw up and agree its own rules of procedure, which will be publicised and made available on the programme website. This will include procedures to avoid conflicts of interest;
- b) Develop, monitor and oversee the strategy for the East of England Operational Programme, reviewing the quality and effectiveness of its implementation;
- c) Periodically review progress made toward achieving the specific objectives of the programme;
- d) Ensure that financial and non-financial targets are met and redirect the work of the programme as and when required over its lifetime. Examine the results of implementation, particularly the achievement of the

targets set for the programme priority axes and the evaluations referred to in Article 48 (3) of the Regulation 1083/2006;

- e) Ensure that local priorities are actively considered and reflected in decision-making processes;
- f) Consider and approve any proposals to amend the contents of the approved OP. Such changes will be in accordance with Article 33 of Regulation 1083/2006 for example to take account of significant socio-economic changes, major changes in priorities to address implementing difficulties and /or in the light of evaluation;
- g) Propose to the Managing Authority any revision or examination of the operational programme likely to make possible the attainment of the Fund's objectives referred to in Article 3 of Regulation 1083 / 2006 or to improve its management, including its financial management;
- h) Receive regular updates regarding risk management of the Operational Programme implementation including risk register, advising the ERDF Secretariat on appropriate risk management and mitigation strategies and action;
- i) Consider and approve criteria for selecting ERDF projects/operations in relation to the Operational Programme and approve any revision of those criteria according to programme need;
- j) Consider and approve the annual and final implementation reports referred to in Article 67 of Regulation 1083/2006;
- k) Be informed of the Annual Implementation Report (AIR), or of the part of the report referring to the Operational Programme, and of any relevant comments the Commission may make after examining that report or relating to that part of the report;
- l) Establish such sub-committees, working groups or task and finish groups as appropriate to enable the LMC to fulfil its responsibilities and to support the efficient implementation of the Operational Programme;
- m) Consider and agree a Communication Plan for the Programme in conjunction with providing ongoing advice and support to promote and inform Programme opportunities and outcomes..
- n) Consider and agree a strategy for Technical Assistance;
- o) Consider and Agree an Evaluation Plan for the Programme, to cover evaluation activities to be carried out during the programme period;
- p) Monitor impact of Programme activity in terms of the cross-cutting themes of equality and diversity and environmental sustainability;

- q) Endorse major projects before submission to the European Commission (defined as comprising a series of works, activities or services intended to accomplish an indivisible task of a precise economic or technical nature, having clearly identified goals and whose total costs exceed 50 million Euros);
- r) Consider and develop strategic linkages with other Structural Funds, domestic programmes and wider UK economic policy.

1.4 The LMC will 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 ERDF Competitiveness programme and other European programmes will be considered and agreed, as appropriate.

## 2. Membership

2.1 The membership of the East of England LMC will be drawn up in accordance with the partnership principle established by Article 11 of EC Regulation 1083/2006 and advice from CLG as the Managing Authority. The LMC will be:

- **Efficient and effective** – constituted at a level and size that promotes efficient and effective working. Members may be mandated to represent a wider spread of interests.
- **Locally determined** - membership appropriately reflecting the required spatial, thematic and sector balance of the East of England Operational Programme.
- **Strategic** – Representatives will be senior-level decision-makers with a wide-ranging perspective, will be respected by and consult with the constituents they represent
- **Representative and compliant** - the LMC will comply with EC regulation regarding membership (Article 11 refers)

2.2 The LMC will be representative of:

- Competent regional, local, urban and other public authorities;
- Economic and social partners;
- Any other appropriate body representing civil society, environmental partners, non-governmental organisations, and bodies responsible for promoting equality of opportunity between women and men.
- Partners which can provide an oversight of other cross European programmes.

- 2.3 LMC sector based members will represent the sector for which they act as delegates rather than their individual organisations. Members will be required to ensure that appropriate consultation takes place within the sector they represent in advance of and following LMC meetings to ensure that all appropriate partners have the opportunity to contribute to and are informed of the work of the LMC and progress of the programme.
- 2.4 The LMC will retain the ability to review its membership over the life of the programme taking into account changes to programme area infrastructure and any revisions to the strategic focus of the OP, as well as LMC members' attendance and commitment.
- 2.5 In line with key principles identified by Partners the LMC membership numbers will be determined on the basis of achieving:
- Streamlined decision making / delivery
  - Greater efficiency / reduced bureaucracy
  - Strategically focussed LMC.
- 2.6 The Membership of the LMC as shown in the Table below will be published on the DCLG [www.communities.gsi.gov.uk/ERDF](http://www.communities.gsi.gov.uk/ERDF) programme website

### LMC Membership

Sector	Role	Name	Organisation	No.
Managing Authority	Chair (Member)	Neil O Connor	DCLG	1
Local Representation	Deputy Chair (Member)	George Kieffer	Local representation	1
EU Commission	Advisory	Merja Toikka	DG Regio (Desk Officer)	1
Principle executive officer East of England PDT	Member	David Morrall	DCLG	1
Local Enterprise Partnerships	Member	Andy Wood- New Anglia Liz Wade-	One representative per Local Enterprise Partnership <sup>1</sup>	5

<sup>1</sup> LEP representatives : where a LEP boundary extends beyond the East of England Programme Area, LEP representatives should be nominated to represent that part of the LEP that resides within the East of England ERDF Programme Area.

		SEMLEP Neville Rayner - GCCP David Lloyd- Herts TBC - SE LEP		
Private Sector	Member	Tim Hutchings	Regional nomination	1
Local Government Representatives	Members	Kathy Pollard Bryony Rudkin Graham Butland Andrew Johnson	Local Government representation	4
TUC	Member	Laurie Helesdon	Regional TUC	1
HE	Member	Zoe Manning	Nominated representative	1
FE	Member	Robert Blake	Senior nomination drawn from FE sector	1
Voluntary sector	Member	Mark Mitchell	VCS representative	1
Environment /sustainability Champion	Member	Julia Upton	Environment Agency	1
Equality & Diversity Champion	Member	Paula Grayson	Appropriate organisation	1
BIS	Member	Ian Gregory	BIS local representative given focus of OP on innovation, enterprise and business growth. Facilitating alignment with RGF ,TSB and other measures as appropriate.	1
Low carbon /renewable energy sector	Member	James Beal	Providing low carbon expertise	1
ESF	Member	Angela Rowney/Anna Clube	Ensuring appropriate linkages with other Structural Funds	1
Arts Council	Member	Andrea Stark	Ensuring appropriate links with creative industry	1
ERDF Local – Director Managing Authority	Member	Arni Narain	Ensuring local DCLG representation	1
East of England Brussels office	Observer	Sarah Murray	Strategic input from Brussels	1
Cross Area	Observer	Guy Mills	Provision of regional	1

representative			overview	
MEPs	Observer	Robert Sturdy Richard Howitt Andrew Duff Geoffrey Van Olden Andrew Duff Vicky ford David Campbell Bannerman		7
RDPE	Observer	David Sillett	Alignment with other RDPE EU funding programme	1
Total participants ( Excl ERDF Secretariat)			35	
Total Members			24	

### 3. Sub- Committees or Sub-groups to the LMC

- 3.1 The LMC may at any time set up such sub-committees and / or standing or ad hoc working groups or other groups as it thinks appropriate. The LMC may delegate any of its tasks to a sub-committee and /or group. The Membership of such sub-committees and or groups shall be agreed by the LMC, reflecting the partnership principle set out in Article 11. The terms of reference and rules of regional sub-committees and groups shall be approved by the LMC. The LMC Deputy Chair will act as Chair of the East of England Competitive Delivery Group (CDG). The Head of DCLG East of England Programme Delivery Team will act as Deputy Chair of the CDG.

### 4. Working Arrangements

- 4.1 The LMC will operate in accordance with the following protocols:

- DCLG will Chair the LMC at Director level
- The Deputy LMC Chair will chair and agree locally specific agenda items.
- The ERDF Secretariat will support the effective working of the LMC, engaging the Chair and Deputy Chair in the preparation of agendas and papers;

- The LMC Agenda will normally be circulated seven working days in advance of meetings. In exceptional circumstances additional items may be added to the agenda after the initial agenda distribution;
- LMC Papers will normally be circulated to members via email, at least 7 working days in advance of a meeting. In exceptional circumstances, where deferment to the next LMC meeting could have a detrimental impact on delivery of the programme, (one or more) papers may be distributed less than 2 working days before the meeting;
- Decision-making will be by consensus. In the event of no consensus being reached, the Chair will be responsible for brokering an appropriate resolution;
- 50% of members (or their agreed delegates) will need to be present for a meeting to be considered quorate. This must include representatives of the Managing Authority.
- Where it is necessary / appropriate to conduct business via written procedures, members will be given 7 working days within which to respond (unless exceptional circumstances require a shorter deadline). A non-response will be taken as approval of the proposal.
- Declaration of interest will be a standing item at the beginning of LMC meetings. Members will be required to declare any interest at the appropriate point in the LMC meeting.
- The LMC will operate according to the Nolan rules of conduct for those holding public office/engaged in public business.
- The LMC will review how it is operating in April 2012.

#### 4.2 Frequency of Meetings

The LMC will meet at least twice a year but normally no more than four times a year. Notice of meetings will normally be given at least 15 working days in advance.

### 5. Equality and diversity

The LMC will :

Develop strategic objectives with an action plan to set out methods for equalities mainstreaming across all of the region's ERDF Competitiveness Programme.

Identify and promote good practice

Monitor the equalities aspects of project selection criteria

Prepare quarterly reports

Monitor the implementation of equalities mainstreaming objectives and action plan

## **6. Secretariat: Key Roles and Responsibilities**

6.1 The Secretariat will provide administrative support for the governance arrangements established to oversee programme implementation. Its responsibilities will include:

- Support for LMC and sub-LMC governance arrangements e.g. coordination of agendas and papers, drafting of minutes.
- Liaison with LMC and LMC-sub group members at local, national and EU level
- Providing technical advice on eligibility and compliance issues, to LMC and sub groups as required.
- Coordination of Annual Implementation Reports for presentation /consideration by LMC and submission to EU.

**ENDS**