

BOSTON TOWN BOARD TERMS OF REFERENCE

**ADOPTED BY RESOLUTION OF THE BOARD ON 20 JANUARY 2020
AMENDMENTS ADOPTED BY RESOLUTION OF THE BOARD ON 14 JANUARY
2021, 17 MARCH 2021, 6 JULY 2022 and 22 FEBRUARY 2023.**

The Levelling Up and Town Deal Board has been repurposed to incorporate the Long-Term Plan for Towns Board and includes oversight of the UK Shared Prosperity Funding (hereafter known as the Town Board).

1. CONSTITUTION

- 1.1 The Town Board was re-purposed on 28th March 2024 and these revised Terms of Reference adopted at a full meeting on (date to be inserted).

2. ROLES AND RESPONSIBILITIES

- 2.1 The Town Board operates in line with guidance and requirements relating to the various funding streams which are detailed below in each section.
- 2.2 Working closely with Boston Borough Council, businesses and the community, the Board will be the vehicle through which the long-term vision for Boston is defined and will work on a partnership ethos. It will bring together the private, public and voluntary sectors and provide leadership to secure government funding and to develop and deliver a portfolio of projects aligned with the long-term strategy and any agreed medium-term priorities.
- 2.3 The Town Board provides strategic direction and oversight for the delivery of:
- I. The Long-Term Plan for Towns interventions and projects
 - II. The Town Deal projects.
 - III. Leveling Up Funded Projects
 - IV. It also operates as a consultation forum for the allocation of UK Shared Prosperity Funding and the Rural England Prosperity Fund

Each funding stream has its own requirements and Guidance which are referenced below and which the Board will adhere to.

- 2.4 The Board is not a separate legal entity in its own right. It is not a formally constituted body and shall hold no monies or assets. The Local Authority (Boston Borough Council) will remain the accountable body for funding.

Long Term Plan for Towns:

- 2.5 Guidance for Long Term Plan for Towns is available here:

Prospectus published October 2023:

[Our Long-Term Plan for Towns - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/1181112/Our-Long-Term-Plan-for-Towns-2023.pdf)

Guidance published December 2023:

[Long-Term Plan for Towns: guidance for local authorities and Town Boards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/long-term-plan-for-towns-guidance-for-local-authorities-and-town-boards)

Technical Q&A published 28 March 2024

[Long-Term Plan for Towns: Technical Q&A - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/long-term-plan-for-towns-technical-q-a)

- 2.5 The aim of the Long-Term Plan is to deliver long term economic and productivity growth for the local area.
- 2.6 The Board's role is advisory to the Local Authority.
- 2.7 The Local Authority remains the accountable body for funding and executing the Long Term Plan.
- 2.8 The Local Authority should help empower the Town Board in realising their role and drive forward a community-led vision for change.
- 2.9 The Town Board will be responsible for:
- Overseeing the production of an evidenced based Long-Term Plan comprising of a 10-year vision together with 3-year Investment Plan as an Annex to be submitted to DLUHC by the 1st August 2024.
 - Providing recommendations to the Local Authority on strategies, investment proposals and policy interventions.
 - Ensuring that the local community, including the business community, has the opportunity to be involved in the development of strategies and proposals for the town.
 - Producing an implementation programme to deliver the Long -Term Plan.
 - Influencing stakeholders to ensure investment in the town.
 - Strategic role in the development of the business cases and feasibility studies to support project development and "off the menu" interventions.
 - Identifying other sources of funding to deliver the aims of the Long -Term Plan.
 - Monitoring delivery of the Long- Term Plan.
 - Other matters deemed to impact on the economic growth which may be identified from time to time.

Note: Where proposals commit the Local Authority to future expenditure beyond the Long -Term Plan, the Town Board must engage with the Local Authority to ensure that this is agreed formerly with the Local Authority.

- 2.10 The Lead Local Authority (acting as Accountable Body) will be responsible for:
- Receiving Capacity Funding to set up the Town Board
 - Supporting the Town Board in developing the Long -Term Plan.
 - Inviting the Independent Chair and engaging the Local MP as part of setting up the Town Board.
 - Engaging with the Chair to consider what other appointments to the Town Board are necessary.
 - Unless agreed otherwise, act as a secretariat to the Town Board.

- Providing technical expertise to the Town Board for project development and feasibility studies.
- Agreeing the Plan to unlock the financial allocations to the local authority
- Executing the approved Long-Term Plan.
- Sourcing officer resource to support delivery.

Town Deal Projects (Towns Fund):

2.11 Guidance for Towns Fund and Town Deal Boards is available here:

[Towns Fund Prospectus, published 1 November 2019:](#)

[Towns Fund prospectus - GOV.UK \(www.gov.uk\)](#)

[Further Guidance, published 15 June 2020](#)

[Towns Fund: further guidance - GOV.UK \(www.gov.uk\)](#)

[Supplementary Guidance, published November 2022](#)

[Towns Fund: supplementary guidance for Town Deal Boards - GOV.UK \(www.gov.uk\)](#)

2.12 The Board is responsible for:

- developing and agreeing an evidence-based Town Investment Plan
- establishing a clear programme of interventions
- embedding arrangements in local plans (where appropriate) and undertaking Environmental Impact Assessments and fulfilling duties on public authorities under the Equalities Act, in particular, and the public sector equality duty.
- coordinating resources and engaging stakeholders
- ensuring communities' voices are involved in shaping design and decision making at each phase of development
- ensuring diversity in its engagement with local communities and businesses
- helping develop detailed business cases
- overseeing each step of agreeing a Town Deal, and overseeing compliance with the Heads of Terms Agreement with government

2.13 The Lead Local Authority (acting as Accountable Body) will be responsible for:

- Developing a delivery team, delivery arrangements and agreements
- Ensuring that decisions are made by the board in accordance with good governance principles
- Ensuring transparency requirements are met – through publication of information on their website or a Town Deal specific website (where further reference is made in this guidance to publication on a Lead Council's website this includes Town Deal specific websites)
- Developing agreed projects in detail and undertaking any necessary feasibility studies
- Undertaking any required Environmental Impact Assessments or Public Sector Equalities Duties
- Helping develop detailed business cases
- Liaising with potential private investors in identified local projects and schemes
- Signing the Head of Terms Agreement with government

- Monitoring and evaluating the delivery of individual Towns Fund projects
- Submitting regular monitoring reports to Towns Hub
- Receiving and accounting for the Town's funding allocation

Levelling Up:

- 2.14 The Board will be the vehicle through which the Levelling Up vision and strategy for Boston is defined and is the strategic and oversight forum for the delivery of the Levelling Up Fund resources in Boston.
- 2.15 The Board must ensure that the delivery of the overall Levelling Up agenda brings benefits which are fairly balanced across all social groups and demographics.
- 2.16 Board members are responsible for positive communication of the Levelling Up agenda. The Board shall:
- a. Develop and oversee the delivery of the Levelling Up agenda.
 - b. Co-ordinate public, private and third sector activity to develop and deliver the interventions in using the framework of the Levelling Up agenda and any further guidance that may be issued.
 - c. To have regard to the core strands of the Levelling Up agenda and develop the interventions and maximise the impact of those interventions;
 - (i) Urban Regeneration, planning and land use
 - (ii) Skills and Enterprise
 - (iii) Connectivity
 - c. Support the delivery of the Levelling Up agenda by attending Board meetings, sub group meetings and participating in other working arrangements as agreed, and reflecting the agreed view of the Board in discussions with partners and stakeholders
- 2.17 The Board will be supported by a Delivery Team, which will be in the employment of Boston Borough Council.

UK Shared Prosperity Funding and Rural England Prosperity Fund:

- 2.18 The Board operates as a consultation forum for the allocation of UK Shared Prosperity Funding and Rural England Prosperity Fund.
- 2.19 The Board shall:
- Provide advice and support on strategic fit and deliverability of the investment plan.
 - Ensure Fund investments complement other activities and meet Fund and local objectives.

3. Membership

Chair

- 3.1 The independent Chair of the Town Board shall be appointed by Boston Borough Council in consultation with the local Member of Parliament and in line with guidance from the Department of Levelling Up, Housing and Communities.
- 3.2 The Chair should be a local community leader or local businessperson and, to meet guidance for Town Board's should be from the private sector.
- 3.3 Elected representatives, such as MPs or local councillors including Parish Councillors, must not chair the Town Board.
- 3.4 The Chairman shall:
 - a. lead the Board in achieving its objectives, maintaining an overview of activity, and championing and supporting partnership working
 - b. provide effective leadership at Board meetings, enabling appropriate debate, consensus and decision making ensuring that decisions are made by the Board in accordance with good governance principles
 - c. approve the agenda and papers (prior to circulation) for meetings of the Town Board enabling them to be distributed at least 5 working days before the meeting;
 - d. approve the minutes of the meeting allowing them to be distributed no more than 10 working days after the meeting.
 - e. undertake actions and make decisions outside Board meetings where delegated by the Board;
 - f. establish and maintain a collaborative working relationship with Boston Borough Council;
 - g. provide clear direction and support for the Delivery Team to ensure appropriate reporting and actions to enable effective use of Board time and to take forward the Town Board agenda;
 - h. work with Boston Borough Council to ensure that the Delivery Team is adequately resourced (whether through employment or other arrangement);
 - i. ensure the Board meets all reporting and submission deadlines required by DLUHC.
- 3.5 The Chair may be removed at any time by Boston Borough Council, in consultation with the local Member of Parliament and following appropriate process, should it be determined that he or she:
 - a. has failed to uphold the required code of conduct (Nolan Principles)
 - b. has failed to provide effective leadership of the Town Board
 - c. has failed to provide the necessary direction and support to the Delivery Team;
 - d. has failed to maintain an appropriate relationship between the Town Board and Boston Borough Council, frustrating the process to secure appropriate approvals and unlock funding.
- 3.6 In the case of resignation or removal of the Chair full consideration shall be given to continuity and smooth transition. The Deputy Chair (if appointed) shall assume the role on an interim basis until a new Chair is appointed.
- 3.7 A Deputy Chair of the Town Board may be appointed by the Chair of the Board.

Other Board Members

- 3.8 Board Membership shall be established to ensure appropriate and balanced representation, reflecting the broad community of Boston as well as a balance of skill sets and experience. Board Membership shall reflect and where necessary be altered to reflect government guidance relating to the funding streams.
- 3.9 It is required that the relevant local MP sits on the Town Board.
- 3.10 It is required that the Police and Crime Commissioner (PCC) be represented on the Town Board.
- 3.11 Boston Borough Council will be represented on the Board by the Leader of the Council and provides the link between the Council and the Board.
- 3.12 An elected member of Lincolnshire County Council shall be a Board member to meet LTPfT Guidance (December 2023).
- 3.13 Requirements relating to other Boston Borough Council elected officials and officer membership are set out within the DLUHC guidance.
- 3.14 Wider Membership (i.e. excluding PCC, Leader, Chair, Deputy Chair and County Councillor) of the Board will be through appointment by the Chair in consultation with Boston Borough Council and Members of the Town Board and in line with guidance. Where possible and appropriate, Membership will be based on nominations provided by representative of a sector or community group and may include:
- The Local Enterprise Partnership
 - Community partners, such as community groups, faith groups, local charities, neighbourhood forums, youth groups, the local Council for Voluntary Service (CVS) or Third Sector Interface (TSI) in Scotland
 - Local businesses and social enterprises, such as the chair or board members for the Business Improvement District (BID) where these exist, key local employers or investors in the town
 - Community and smaller businesses have been shown to be able to support regeneration and improve investment at a local level, and property owners have a major stake in how towns are repurposed.
 - Cultural, arts, heritage and sporting organisations, such as local sports club directors, local heritage groups
 - Public agencies and anchor institutions, such as, local schools, higher education and further education institutions, relevant government agencies for that area, for example Integrated Care Boards.
- 3.15 The period of office of the Town Board Members including the Chair and any Deputy shall be for an initial period of 3 years starting from their appointment to the repurposed Board following adoption of these Terms of Reference. A Member

shall be eligible to be re-appointed at the end of a three-year term.

- 3.16 A Board Member shall cease to be a member of the Board if he or she;
- Has served a term of at least 3 years
 - gives written notice of resignation to the Chair;
 - is removed by the Chair in consultation with Boston Borough Council on the basis that they are proven to have failed to uphold the Code of Conduct;
 - is removed by the Chair in consultation with Boston Borough Council on the basis that they have failed to adequately commit to, support and champion the working of the Town Board or brought the Board in to disrepute.
- 3.17 In the absence of both the Chair and Deputy Chair (if appointed) at a formal meeting of the Board, those present for the meeting of the Board will vote and appoint a Chair for that meeting only.
- 3.18 The Town Board may establish sub-groups to expedite a specific matter that requires focussed activity or where a more specialist membership is required. The sub-group will report directly to the Town Board. The Town Board will set out the sub-group's terms, remit, membership and period of operation.

4. SUBSTITUTES

- 4.1 There shall be no substitutes at the Board meeting with the exception of the representative of Boston Borough Council, the Leader of the Council.
- 4.2 The Leader of Boston Borough Council shall designate a formal deputy in writing to the Chair.
- 4.3 Where the Leader of Boston Borough Council will not be in attendance and not exercising a proxy vote, they must notify the secretary to the Board no later than 24 hours before the Board meeting.

5 ATTENDANCE AT MEETINGS

- 5.1 The Board will meet every other month. The Board may meet at other times during the year as agreed between the members of the Board and may approve recommendations via written procedure.
- 5.2 Formal Board meetings will take place in private where all formal decisions of the Board will be taken.
- 5.3 At least one meeting per year shall be open to the Public
- 5.4 Informal Board Meetings may take place from time to time. These will be in private and not open to the public. Other persons and external advisers may be invited to attend all or part of any meeting as and when appropriate as observers and shall be entitled to speak at the meeting with the prior permission of the Chair but shall not be entitled to vote.
- 5.5 With the prior agreement of the Chair, any Board Member may participate in a meeting by means of a conference telephone or similar communications equipment. Participation in a meeting in this manner shall be deemed to constitute presence in person with vote entitlement and be counting in a quorum.

6 NOTICE OF MEETINGS

- 6.1 Meetings of the Board shall be called by the secretary to the Board at the request of the Chair of the Board. The agenda and papers for meetings shall be approved by the Chair.
- 6.2 Unless otherwise agreed, notice of each meeting confirming the venue, time and date together with an agenda of the matters to be discussed at the meeting shall be forwarded to each member and any other person required to attend no later than 5 working days before the date of the meeting. Any supporting reports and/or papers shall be sent to each member of the Board and other attendees (as appropriate) at the same time and minutes published on the website.
- 6.3 The agenda, and reports (that are not exempt under legislative arrangements) shall be published on the Board's website.
- 6.4 There will be occasions when the business of the meeting will be subject to confidentiality for reasons of commercial confidentiality or sensitivity, information provided by the government in confidence, information pertaining to individuals or third-party information that is subject to common law duty of confidentiality. This list is not exhaustive. On such occasions, the notice of the meeting will highlight the reason for confidentiality pertaining to a particular agenda item. At the appropriate time of the meeting, in the event there are public present, the Chair will request those members of the public leave the meeting before that item is discussed and voted upon.

7 QUORUM

- 7.1 A quorum shall be 5 Board Members present in person or in accordance with clause 6.5.

8 DECLARATION OF INTEREST

- 8.1 Town Board Members are required to follow the Board's Code of Conduct and adhere to the Seven Principles of Public Life, known as the Nolan Principles, as defined by the Committee for Standards in Public Life.
- 8.2 Town Board members must complete a declaration of interest form, which the lead council will then hold.
- 8.3 Town Board members are responsible for declaring their interests before the Town Board considers any decisions.
- 8.4 The Board must inform the accountable body (BBC) who must record:
- actions taken in response to any declared interest
 - any gifts or hospitality given to the Town Board or individual members

9 VOTING ARRANGEMENTS

- 9.1 Each member of the Board shall have one vote which may be cast on matters considered at the meeting by a show of hands. Votes can only be cast by members attending a meeting of the Board in person, in accordance with clause 6.5, or by proxy vote.
- 9.2 A proxy vote may be given by another Board member on behalf of and with the permission of, the absent Board member in accordance with the Board agreed procedure.
- 9.3 Decisions will be made on the basis of a majority.
- 9.4 Where a conflict of interest exists as set out in the Board's Code of Conduct, a Board Member may not vote.
- 9.5 Save where they have a personal interest, the Chair will have a casting vote. In this context, this refers to whoever is present and discharging the function of the Chair for the purpose of the meeting.
- 9.6 A resolution in writing, sent electronically to all Board Members entitled to receive notice of a meeting of the Board and signed by a majority of the members shall be valid and effectual as if it had been passed at a meeting of the Board duly convened and held and may consist of several documents in materially the same form each signed by one or more Board Member in the event a Board Meeting may not be convened in a timely manner.

10 REPORTING

- 10.1 The proceedings and resolutions of meetings of the Board, including the names of those present and in attendance, shall be minuted by the secretary of the Board. Draft minutes of each meeting will be circulated promptly to all Members of the Board.
- 10.2 Minutes of meetings of the Board shall be approved in draft form by the Chair and disseminated to Board no later than ten working days following the meeting. Minutes shall remain in draft until approval by the Board at the Board's next meeting.
- 10.3 Approved minutes of the Board shall be published on the website of the Boston Town Deal, within 10 working days with the exception of minutes relating to items deemed confidential.
- 10.4 The Board shall produce an annual report about its activities

11 The Board's Relationship with Boston Borough Council (BBC)

- 11.1 The Board is responsible for developing and agreeing a clear programme of interventions and coordinating resources and including stakeholders.
- 11.2 BBC remains the accountable body for all monies received through capacity funding and any other funding that will be allocated throughout the Levelling Up Agenda and is responsible for executing the Long-term Plan.
- 11.3 BBC will be represented on the Board by the Leader of the Council and provides the link between the two bodies.
- 11.4 The Board will be supported by the Delivery Team, which will be in the employment of BBC.
- 11.5 The Board Chair (and other members as appropriate) will from time to time attend both formal and informal Cabinet of BBC and attend as required meetings of BBC's Scrutiny Committee to provide updates and information pertaining to the development of the Town Investment Plan, programme of interventions and stakeholder engagement.
- 11.6 BBC's Cabinet will receive reports on the progress of activities through its established quarterly performance monitoring.
- 11.7 The Board may make recommendations to the Cabinet of BBC from time to time and prior to the submission of the Long-Term Plan.

12 GENERAL MATTERS

- 12.1 Board Members should make themselves available from time to time to meet the Cabinet of Boston Borough Council both formally and informally, and to attend meetings of the Council's Scrutiny Committees as and when invited.
- 12.2 Board Members shall duly sign and return the Board's Code of Conduct (Appendix 2) and Declaration of Interests on an annual basis. Board members are responsible for updating their declarations of interests as they change.
- 12.3 The Board may be provided with appropriate and timely training, both in the form of an induction programme for new members and on an ongoing basis
- 12.4 The Board will have access to officer resources in order to carry out its duties through the Boston Town Delivery Team.
- 12.5 The Board shall be entitled to invite relevant third parties to attend any meeting of the Board as observers and they may be entitled to speak at a meeting of the Board with the prior permission of the Chair but shall not be entitled to vote.
- 12.6 The Board shall give due consideration to all laws and regulations as appropriate and follow any Guidance issued.

12.7 The Board will, from time to time, consider projects and proposals of a “commercial in confidence” or sensitive nature that will not be for publication under existing legislative provisions (Data Protection and Freedom of Information). All Board Directors and invited third parties will observe the need for confidentiality in this respect.

12.8 The Board will be subject to the privacy legislation contained within Data Protection Act 2018, Freedom of Information Act 2000 and the Environmental Information Regulations 2004. Such requests will be serviced by BBC in accordance with BBC policies and procedures.

12.9 Members of the public may wish to contact the Board. Any such contact will be managed by the Levelling Up Team and contact details will be published on the Boston Town Deal website. The Levelling Up Team may where appropriate, engage with the Chair and/or wider Board.

12.10 Any Board member accepting any gift or hospitality should declare this to the Chairperson and Lead Council within seven days.

12.11 The Lead Council shall maintain a register of gifts and hospitality where the value received by any Board Member exceeds £25.

12.12 The Board shall be responsible for completing, reviewing and updating the following documents:

- Agenda and minutes
- Risk and Milestone Registers
- Decision Logs
- Project Logs
- Equality Impact Assessments (where required)
- Task Lists

13. Review

13.1 The Government may publish further guidance on the operation and function of Long Term Plans for Towns, Town Deal Boards, UKSPF, UKRPF and Levelling Up groups and these Terms of Reference must be reviewed in accordance with any such guidance and updated accordingly.

13.2 The Borough Council will provide support and suggest appropriate amendments for the Board to adopt.

13.3 The Board may amend these terms of reference at any time providing that amendments are not contrary to the guidance and they will be reviewed on an annual basis and from time to time as guidance changes.

Boston Levelling Up and Town Deal Board Terms of Reference Ratified on 20th January 2020, 14th January 2021, 17th March 2021, 6 July 2022 and 22 February 2023.

Board re-purposed as Long-Term Plan for Towns Board on 28th March 2024 and these Terms of Reference adopted on (insert date)