

BCKLWN Compliance with Towns Fund Guidance (June 2020) regarding the set-up of a Town Deal Board

Ref. no.	Government's Towns Fund Guidance (June 2020)	Operation of the BCKLWN Town Deal Board (TDB)	Level of Compliance	Recommendations
4.5	Town Deal Boards are responsible for producing Town Investment Plans, including putting forward suitable projects which align with the objectives of the Towns Fund, and for overseeing compliance with the Heads of Terms Agreement with government.	<p>As stated in the TDB ToR, the role of TDB is:</p> <ul style="list-style-type: none"> • developing an evidence-based TIP; • planning, developing and delivering projects in accordance with the Towns Fund; • overseeing compliance with the Heads of Terms Agreement with government. 	Met	N/A
4.7	A Town Deal Board should operate in a transparent and objective way for the benefit of the town it represents. We set out here and at Annex D governance requirements – this should fit within and complement existing arrangements for governance, assurance, audit etc. in the local authority and does not need to be wholly separate.	<p>The Kings Lynn Town Deal Local Assurance Framework (LAF) (approved by Cabinet in August 2021) sets out the governance and decision-making structure of the TDB in relation to the Towns Fund. Sub-groups have been established to develop the detail of each project business case and to report progress to the TDB.</p> <p>The Board will approve each business case, ensuring that they align with the TIP and have been developed with engagement with local communities and businesses. The Board will receive reports on progress, key milestones and any issues/risks identified during the development of the business cases.</p>	Met	N/A
4.8	The Town Deal Board's membership should reflect the diversity of the town and surrounding area. The Towns Fund and particularly the board had to be set up by the end of January 2020, the Towns Fund Guidance was not issued until June 2020, prior to this the project team in consultation with Metro Dynamics set the Town's Deal Board membership as per the Towns Fund Prospectus published in November 2019. The Towns Fund Prospectus stated that membership of Town Deal Boards must comprise:	<p>The original membership of the TDB, as taken from the Register of Declaration of Interests from Dec 2020, included representatives from the following organisations:</p> <ul style="list-style-type: none"> • private sector chair (the CTO of Merxin); • Local government – three BCKLWN councillors and the Chief Executive; an NCC councillor; • local MP; 	Partially Met	In accordance with the Government's Towns Fund Guidance and Prospectus, the TDB should include representatives from those local Parish Councils which lay within the Town Deal

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	<p>2. Towns Fund Prospectus states 2.21:</p> <p>2.21 Town Deal Boards must include:</p> <ul style="list-style-type: none"> • Other tiers of Local Government: We expect all tiers of local government to be a part of the Town Deal Board: <ul style="list-style-type: none"> - Town and parish councils: Town and parish councils have an important role to play in convening stakeholders and providing localised perspective, as they are closely connected to the communities they serve. - Upper-tier authorities: bring crucial understanding of the important role towns play within the wider regional economy – as well as strategic leadership and powers that will be of value to the partnership. - Mayoral Combined Authorities and Combined Authorities: provide a strategic overview of an area and many hold powers that will be critical to delivering the Towns Fund e.g. transport. • Members of Parliament: The MP (or MPs) representing the town should be invited to engage in the process of designing and agreeing the Town Investment Plan. • Local businesses and investors: Driving economic growth and building productivity will require entrepreneurship and investment from business. It will therefore be essential to draw on their leadership and capability to help 	<ul style="list-style-type: none"> • Local Enterprise Partnership – New Anglia LEP; • Communities – AWN, Community Action Norfolk, Freebridge Community Housing; • Business Improvement District – Discover King's Lynn; • Government Bodies – NHS, DWP; • Anchor Institutions – College of West Anglia, QEH, Norfolk Museum Service; • Local Business Representatives – a total of 18 representatives from local businesses; • Business Network Organisations – Norfolk Chamber of Commerce. <p>There were a total of 37 representatives on the original Board. The membership was refreshed and updated in October and November 2021, following which the membership was reduced to the current number of 16. This includes four members representing local businesses, down from 18.</p> <p>The ToR is largely representative of local stakeholders / partnerships, in accordance with the Government's Towns Fund Guidance and Prospectus, with the exception of having an appropriate level of local government representation:</p> <ul style="list-style-type: none"> • local government members, BCKLWN Council officers, NCC members and the local MP are largely representative of local tiers of government. However, the TDB does not include 		Boundary.

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	<p>understand challenges and develop the key proposals. Existing investors currently active in the area also have an important role to play; their experience of driving development in specific regions should be drawn on to identify the best uses of public and private funds. We expect to see representation on Town Deal Boards through large employers and SMEs.</p> <ul style="list-style-type: none"> • Local Enterprise Partnerships (LEPs): LEPs bring a strong specialism in economic development strategy, business engagement, and the local skills system – through Skills Advisory Panels – ensuring Town Investment Plans are informed by local economic strategies e.g. Strategic Economic Plans and Local Industrial Strategies. • Communities: Each town will decide how best to involve their local community, building on the MyTown campaign. Communities should have a meaningful role in decision-making for the future of their town, and Town Deal Boards should draw on the local knowledge and insight that communities can provide on the barriers to driving local growth and productivity. We expect this to be achieved by including community representatives from prominent local civic and faith organisations in the governance structure, such as representatives from local community forums, voluntary and community sector organisations, or Councils of the Voluntary Sector. • Communities are more likely to work to implement solutions, and be able to take 	<p>representatives from those local Parishes which lay within the Town Deal Boundary Map.</p> <ul style="list-style-type: none"> • LEP, Chambers of Commerce, Discover King's Lynn, College of West Anglia, and QEH are representative of relevant local organisations. • Community Action Norfolk and the Diocese of Norwich are representative of community organisations. • Merxin, Greenyard Frozen, Uptech and Hawkins Ryan Solicitors are representative of local businesses. 		

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	<p>advantage of the economic opportunities resulting from government investment if they engaged early and throughout the process of designing and delivering the Town Investment Plan.</p> <p>Although 2.14 – 2.15 of the Towns Fund Prospectus (November 2019) outlines:</p> <p><i>The Lead Council should define the area the Town Deal Board will represent on a map. As a default, this should use the boundaries defined by the Office for National Statistics in their recent article. This is important so that local communities and other bodies understand where the area of benefit will be. We expect that the geographical area should be continuous.</i></p> <p><i>Any changes to the ONS boundaries will need to be discussed with government to ensure it includes, as part of the area, the town that was originally selected.</i></p> <p>2.22 Town Deal Boards may also include (either in their governance structure or in their engagement activity):</p> <ul style="list-style-type: none"> • Business Improvement Districts (BIDs): where they exist, BIDs work to improve commercial areas through additional services. They have close relationships with their business members and play a strategic role in place shaping • Jobcentre Plus: provide information on working 			

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	<p>with people furthest from the labour market, and work closely with the voluntary and third sector to support people into work</p> <ul style="list-style-type: none"> • Anchor institutions: have strong convening power, as well as a significant role in the local economy. They may include: <ul style="list-style-type: none"> - The wider business community - Universities and Further Education colleges - Academies and Schools - Hospitals - Development corporations - Local sports teams - Cultural and creative institutions - Housing sector including housing developers and housing associations • Arms-length bodies and other non-departmental government agencies: Such as Homes England, the Environment Agency, and the Historic England have expertise in delivering interventions, and existing place-based networks across the country, which can bring local expertise, as well as the ability to engage with issues at a regional level. • Other private investors and developers: national or international private investors and developers should be engaged early to understand their requirements for investment and identify the best use of public and private funding. <p>The town of King's Lynn itself is a non-civilised parish, as such the</p>			

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	<p>boundary for the funding is different to the non-civilised parish of King's Lynn boundary. The original town is included with the Towns Fund boundary, as well as parts of the local parishes of North Wootton, North Runcton, West Winch and Wiggshall St. Germans.</p> <p>Further to this the Towns Fund Prospectus, November 2019 states:</p> <p>2.25 While we recognise that each place is different, Town Deal Boards should appoint a Chair. Where appropriate we expect this Chair to be from the private sector.</p> <ul style="list-style-type: none"> • 			
4.9	<p>It will be important to ensure a balance of views are heard and to create opportunities for fresh perspectives and challenge, so membership could extend to those with other specific expertise, such as clean growth.</p>	<p>Of the original 18 local businesses included as members of the TDB, when it was set up in 2020, only one, Greenworld, could be said to have connections to the "clean growth" agenda. Currently, only four local businesses are represented on the board.</p>	Partially Met	<p>Consideration should be given to expanding the number and range of local businesses included as board members, and including at least one more business with experience in clean growth.</p>
4.10	<p>All Town Deals will need to have an Accountable Body which will be a council through which funding will flow. The Lead Council for the Town Deal (the Unitary Authority, Metropolitan Council, District Council or Borough Council for the town) will determine the appropriate Council to act as the Accountable Body (the Lead Council may take on this role or nominate an upper tier Authority where more suitable). Lead Councils have a seat on the board and take responsibility for ensuring that decisions are made by the Town Deal Board in accordance with good governance principles.</p>	<p>BCKLWN are the Lead Council for the Town Deal and also act as the Accountable Body.</p>	Met	N/A
4.10	Town Deal Board Roles & Responsibilities - The Town Deal Board	As detailed in the ToR, the role of the TDB is to:	Partially	The TDB ToR should be

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	<p>will sign off each stage of a Town Investment Plan and Town Deal. The Board is responsible for:</p> <ul style="list-style-type: none"> • Upholding the Seven Principles of Public Life (the Nolan Principles) • 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. 	<ul style="list-style-type: none"> • develop and agree an evidence-based TIP; • develop a clear programme of interventions to improve the town's economic growth; • ensure effective co-ordination between the activities and actions of the agencies and organisations involved in the development and delivery of the TIP; to serve in an advisory capacity to the lead Council (BCKLWN); • to maintain an overview of the planning, development and delivery of development projects, providing a collective, co-ordinated response to issues, challenges and risks; • to provide regular updates to partner committees, Boards and Towns Fund team; • overseeing each step of agreeing a Town Deal, and overseeing compliance with the Heads of Terms Agreement with government; • agree in principle the Town Deal with government and the Lead Council; • identify future funding opportunities that align with the vision and priorities set out in the TIP, and work together to secure additional funding; • to monitor and review the progress of the programme and effectiveness of the actions. <p>The TDB ToR includes a section on Board Member Conduct which states that all members shall follow the Nolan Principles.</p>	Met	<p>revised to include the following (as per the Towns Fund Guidance issued by Government):</p> <ul style="list-style-type: none"> • embedding arrangements in local plans; • undertaking Environmental Impact Assessments; • complying with the Equalities Act; • ensuring local communities are involved in shaping design and decision making at each phase of development; • ensuring diversity in its engagement with local communities and businesses.
4.10	Town Deal Board Chair Roles & Responsibilities:	The TDB ToR details the role of the TDB Chair. The role of	Met	N/A

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	<ul style="list-style-type: none"> • Upholding the Seven Principles of Public Life (the Nolan Principles) • Leading the Board in achieving its objectives, maintaining an overview of activity, and championing and supporting partnership working • Ensuring that decisions are made by the Board in accordance with good governance principles • Signing the Head of Terms Agreement with government. 	<p>the Chair is to lead the TDB in shaping the vision for the town as well as defining the strategy and steps that need to be taken to achieve that vision. The key responsibilities of the post are to:</p> <ul style="list-style-type: none"> • Provide strategic and dynamic leadership for the Board; • Lead the Board in developing and then implementing the Town Investment Plan; • Ensure that all sectors on the Board are actively engaged; • Run meetings effectively and fairly ensuring the Board adheres at all times to high standards of ethics and governance; • Exert a casting vote in Board Decisions if circumstances so require; • Upholding the Seven Principles of Public Life (the Nolan Principles); • Signing the Head of Terms Agreement with Government. 		
4.10	<p>Lead Council (acting as or with the Accountable Body) Role & Responsibilities:</p> <ul style="list-style-type: none"> • Upholding the Seven Principles of Public Life (the Nolan Principles) • Developing a delivery team, delivery arrangements and agreements • Ensuring that decisions are made by the board in accordance with good governance principles 	<p>The role of BCKLWN with regards to the Towns Fund is to:</p> <ul style="list-style-type: none"> • be the Lead Council and accountable body for the Towns Fund; • be the main point of contact and liaison with the Department for Levelling Up, Housing & Communities (DLUHC, formerly known as MHCLG) in preparation and negotiation of the Town Deal; • work in partnership with other government 	Partially Met	The TDB ToR relating to the role of the Lead Council and Accountable Body should be revised to include reference to undertaking any required Environmental Impact Assessments

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	<ul style="list-style-type: none"> • 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. 	<p>bodies to ensure the TIP aligns with county and regional strategic plans;</p> <ul style="list-style-type: none"> • identify and engage the Board in other funding opportunities that would help to deliver the aims and objectives of the TIP; • define the area the KLTDDB will represent on a map; • uphold the Nolan Principles; • ensure decisions made by the KLTDDB are in accordance with good governance principles; • publish the KLTDDB's governance structure and ways of working, such as a statement on how the Board will engage with stakeholders and agree decisions over time. <p>In addition, BCKLWN is responsible for:</p> <ul style="list-style-type: none"> • supporting the process of developing a good TIP; • providing technical expertise for business case development; • developing agreed projects in detail and undertaking any necessary feasibility studies; • helping develop detailed business cases; • developing a delivery team, delivery arrangements and agreements; • 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 		and/or Public Sector Equalities Duties.

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		<p>individual Towns Fund projects;</p> <ul style="list-style-type: none"> submitting regular monitoring reports to the Towns Hub; receiving and accounting for the Towns Fund funding allocation; BCKLWN remains the accountable body for all monies received through capacity funding and any other funding that will be allocated from the Towns Fund and will set out how this money is spent. <p>The TDB ToR includes a section on Board Member Conduct which states that all members shall follow the Nolan Principles.</p>		
4.11	<p>The Town Deal Board should have suitable governance arrangements that allow members to provide robust challenge, hold delivery partners to account and ensure that the benefits of the Town Deal are achieved. The governance arrangements should cover:</p> <ul style="list-style-type: none"> Roles and responsibilities of the Board Transparency of decision making Details of how the Board will engage with the relevant partners and the community How decisions will be scrutinised How the Board intends to follow the local authority best practice for Committee and Board Secretariat and Governance. 	<p>The Kings Lynn Town Deal Local Assurance Framework (LAF) (approved by Cabinet in August 2021) sets out the governance and decision-making structure of the TDB in relation to the Towns Fund. Sub-groups have been established to develop the detail of each project business case and to report progress to the TDB. The Board will approve each business case, ensuring that they align with the TIP and have been developed with engagement with local communities and businesses. The Board will receive reports on progress, key milestones and any issues/risks identified during the development of the business cases.</p> <p>A requirement of the Town Deal is to implement a Local Assurance Process for the development and sign-off of individual business cases, to be signed-off by S151 Officer and TDB Chair. The purpose of the LAF is to:</p> <ul style="list-style-type: none"> enable accountable decision making 	Met	N/A

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		<ul style="list-style-type: none"> • ensure value for money • provide for effective monitoring and evaluation. <p>The LAF outlines the role and responsibilities of:</p> <ul style="list-style-type: none"> • TDB • Town Deal Programme Board • Town Deal Programme Manager • Programme Delivery Team. <p>The LAF includes the ToR and membership of the TD Programme Board.</p> <p>The LAF outlines the governance arrangements relating to the TIP, Heads of Term Agreement, Project Business Cases and the delivery of the TD projects. The LAF states that the TD Programme Board is made up of senior managers, responsible for ensuring that the programme aligns to the wider business of the Council and its policies and procedures. There is representation from specialist areas like legal, finance and communications, they act on behalf of the accountable body and will scrutinise the performance of the TD programme to ensure compliance with Council, MHCLG and Town Fund policies and processes.</p>		
4.12	The membership and governance arrangements (including minutes of meetings and decision logs) of the Town Deal Board should be published on the Lead Council's website.	The membership and governance arrangements (including the agendas and minutes of TDB meetings) are published on the Vision King's Lynn website.	Partially Met	An Action Log/Plan should be maintained recording all actions

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		<p>Issues identified during the course of TDB meetings are recorded in the minutes. Where necessary, an action is recorded in the minutes (in bold) identifying the action required and the officer responsible for implementing the action. However, a due date by when the action should be implemented by is not included. Actions from previous meetings are recorded as Matters Arising in the minutes; an Action Plan/Log is not used to record agreed actions. From reading through the minutes, it is not clear whether all of the identified actions have been implemented.</p>		<p>identified at TDB meetings. It should include the agreed action, the officer responsible, the due date and the date the action was implemented.</p>
Annex D	<p>Annex D provides further detail on the governance expectations, this includes information on the requirements relating to management of conflicts of interest and the publication of information. Annex D includes:</p> <ul style="list-style-type: none"> • Roles and responsibilities; • Code of Conduct & Conflicts of Interest; (see below) • Transparency (see below). <p>Roles and Responsibilities</p> <p>It is important that there are clear roles and responsibilities for oversight of the Town Deal. The Town Deal Board should have a document, published on the Lead Council's website, which clearly sets out the roles and responsibilities and the governance and decision making processes for the Town Deal Board. This should include:</p> <ul style="list-style-type: none"> • Remit of the Board including terms of reference; • Board membership and roles; • Chair/vice-chair term and responsibilities; 	<p>Roles & Responsibilities</p> <p>The TDB ToR, published on the Vision King's Lynn website, details the following:</p> <ul style="list-style-type: none"> • Remit of the Board including terms of reference; • Board membership and roles; • Chair/vice-chair term and responsibilities; • Board structure including sub-committees and reporting arrangements; • Accountable Body arrangements. 	Met	N/A

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	<ul style="list-style-type: none"> Board structure including sub-committees and reporting arrangements; Accountable Body arrangements. 			
Annex D	<p>Code of Conduct & Conflicts of Interest</p> <ul style="list-style-type: none"> All Town Deal Board members should sign up to a code of conduct based on the Nolan Principles. There should be clear processes in place for managing conflicts of interests (both commercial, actual, and potential) in decision making, and this must apply to all involved with the work of the Town Deal Board. The Lead Council should provide guidance on the pecuniary and non-pecuniary interests individuals must declare, outline the process that Board members must follow for declaring interests and explain the process for requesting an exemption. Town Deal Board members should then complete a declaration of interests which will then be held by the Lead Council. This can be in a format already used by the Lead Council or a template can be requested from the Towns Hub named contact. All Board Members should take personal responsibility for declaring their interests before any decision is considered. The Lead Council must record action taken in response to any declared interest. A register of gifts and/or hospitality should be maintained by the Lead Council. 	<p>Code of Conduct & Conflicts of Interest</p> <p>The TDB Code of Conduct, dated April 2021, includes the following:</p> <ul style="list-style-type: none"> the role of the TDB. the Nolan Principles. It states that “in accordance with the Towns Fund Prospectus, when acting in a Board Member capacity, members must be committed to behaving in a manner that is consistent with the 7 Principles of Public Life to achieve best outcome for our residents and maintain public confidence in the actions of the Board”. Conflicts of Interests – BCKLWN will maintain a register of interests; all Board Members must complete and return a register of interest form when joining the Board; forms will be published on the BCKLWN website. Board Members must keep the entries in their register of interests up to date by notifying the MO of any changes within 28 days. Board Members must review their form annually and provide notification of any changes. Register of Gifts & Hospitality – Board Members must register in the Register of Members Gifts & Hospitality, held by the MO, any gift or hospitality received or offered in connection with their official duties as a Board Member and the source 	Partially Met	<p>Register of Members' Interests should be updated to reflect the current membership of the Board.</p> <p>All Board Members should be required to submit a declaration of interests form on an annual basis.</p> <p>Board Members should be reminded of the need to submit their completed declaration form to the MO promptly so that their declaration of interests on the VKL website can be updated in a timely manner.</p> <p>A Register of Gifts & Hospitality should be maintained.</p>

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		<p>of the gift/hospitality within 28 days of receiving it. Acceptance by Board Members of hospitality through attendance at relevant events, conferences and other Board related activity is acceptable where it is clear the hospitality is corporate rather than personal.</p> <ul style="list-style-type: none"> • Complaint's procedure. • Whistleblowing Policy. <p>Current TDB Members' declaration of interests are up to date and are published on the Vision King's Lynn website, with two exceptions. The declaration form submitted by one Member could not be accessed, and another Member's declaration form was more than a year old.</p> <p>It is noted that on occasion there is a delay of several months between the TDB Board Member completing their declaration of interests form and it being received by the Monitoring Officer.</p> <p>The TDB Register of Member's Interests as published on the Vision King's Lynn website is out of date and has not been updated to reflect the current membership of the TDB. The register records the date when the completed declaration form was received by the MO from each member. The latest date on the register stated that a completed declaration of interest form was received on 11/12/20. IA notified the MO that the register is out of date; the MO has agreed to update the register for the current membership.</p>		Board Members should be reminded of the requirement to inform the MO of any gifts or hospitality offered or received.

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		<p>Review of the Board minutes identified that Members' interests where they relate to items under discussion are declared at the start of each Board meeting. For example, the minutes of the meeting on 08/04/22, under section 2 of the agenda (Declarations of Interest) listed the declarations of interest by three Members.</p> <p>At the same meeting, it was agreed that spouses should have their interests also recognised.</p> <p>An action was that each Member to reconfirm that their declaration of interests is up to date or resubmit their revised form as soon as possible.</p> <p>No evidence of gifts or hospitality having been declared by Board Members since the inception of the Board. Discussion with the MO identified that a Register of Gifts & Hospitality does not exist; one has not been set up because the MO has not received any notification from Members of gifts or hospitality having been received.</p>		
Annex D	<p>Transparency</p> <p>In line with the principles of public life, it is important that there is transparency around the operation of the Town Deal Board. Transparent decision making is supported by the publication of information on the Lead Council's website; the following standards are expected to be applied:</p> <ul style="list-style-type: none"> A documented decision-making process outlining the voting rights of the Board to be published; 	<p>Transparency</p> <ul style="list-style-type: none"> The King's Lynn Town Deal LAF details the decision making process followed by the board; Profiles of Board Members are published on the Vision King's Lynn website; TDB ToR states that Board agenda papers are required to be published on the VKL website at least five working days prior to each board meeting; 	Met	N/A

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	<ul style="list-style-type: none"> • Profiles of Board Members to be published; • All Board papers to be published on the Lead Council's website in advance of the meeting (within 5 clear working days); • To promptly publish draft minutes of meetings on the Lead Council's website following the meeting (within 10 clear working days); • To publish final minutes on the Lead Council's website, once approved by the Board (within 10 clear working days); • Any conflicts of interest reported to be formally noted within the published minutes; • It is important that the Town Deal Board abides by Lead Council governance and finance arrangements when considering private reports, with the default position being that all papers are open to the public. 	<ul style="list-style-type: none"> • TDB ToR states that draft board minutes are required to be circulated promptly to Board Members after each meeting; • TDB ToR states that final board minutes are published on the VKL website once approved. • Any declared conflicts of interest are noted in the Board minutes; • The default position is that all papers are open to the public, unless they contain "exempt" information. 		