

**Minutes of a meeting of the East Midlands Freeport Board held on 17 May 2024
at Rushcliffe Borough Council, West Bridgford, Nottingham.**

PRESENT

Nora Senior – Independent Chair

Landowners/Developers

Andrew Pilsworth – SEGRO
Frank Robotham – Maritime Transport
Julie Rossiter – Etwall Land Limited
Peter Ralston – Goodman
Phil Canning – Uniper
Steve Griffiths – East Midlands Airport

Local Authorities

Councillor Neil Clarke – Rushcliffe Borough Council
Councillor Keith Girling – Nottinghamshire County Council
Councillor Stephen Taylor – South Derbyshire District Council
Councillor Tony King – Derbyshire County Council

Accountable Body Officers

Gemma Duckworth – Senior Democratic Services Officer
John Sinnott – Chief Executive
Lauren Haslam – Director of Law and Governance
Nick Wash – Head of Service, Finance

Also in Attendance

Bethan Lloyd, Bevan Brittan (for item 6)
Derek Higton – Nottinghamshire County Council
Department for Levelling Up, Housing & Communities Official
James Arnold – North West Leicestershire District Council
Joe Battye – Derbyshire County Council
Jonathan Bretherton – Strategic Commercial Advisor, East Midlands Freeport
Jon Rawcliffe, Inward Investment Lead, East Midlands Freeport (for item 8)
Justin Ives – South Derbyshire District Council
Kath Marriott – Rushcliffe Borough Council
Katie Greenhalgh, Green Growth, Innovation and Skills Lead, East Midlands
Freeport (for item 7)
Maria Machancoses, Midlands Connect (for item 7)
Richard Grice – East Midlands Combined County Authority
Richard Hiscoke, Bevan Brittan (for item 6)
Tom Newman-Taylor – Chief Executive, East Midlands Freeport

Apologies for absence were received from Mr Lee Breckon CC and Councillor Keith Merrie

1.	<p><u>Declarations of Interest.</u></p> <p>The Chair invited members who wished to do so to declare an interest in respect of items on the agenda.</p> <p>No declarations were made.</p>	
2.	<p><u>Minutes.</u></p> <p>The minutes of the Board meeting held on 28 March 2024 were agreed, subject to the following amendment to Minute 7:</p> <p>The Department for Levelling Up, Housing & Communities representative commented that the Memorandum of Understanding recognised the current Board structure and it was important that this was considered and any change to that structure would need to go through the Project Change request process.</p>	
3.	<p><u>Action Log.</u></p> <p>The Board NOTED the list of outstanding and completed actions since the last meeting.</p> <p>It was noted that work was ongoing in relation to the Collaboration Forum and how this would link with the East Midlands Combined County Authority. Further discussions would take place around the role of the newly elected Mayor on the EMF Board.</p>	
4.	<p><u>Chair's Update.</u></p> <p>The Chair reiterated that a key issue for the Board at this meeting was to agree the approach for finalising the governance documents, in light of the fact that the subsidy control scheme and tax extension had now been confirmed.</p> <p>It was recognised that the Board and company had been operating in 'shadow' form as the governance documents had not been signed off by any organisation. It was therefore acknowledged that those attending the Board were prospective Members and no one had yet been appointed as a Director. The Chair commented that this was not a sustainable way to operate and was impacting on EMF's ability to deliver.</p> <p>The Chair provided the following update on activity since the last meeting:</p> <ul style="list-style-type: none"> • A Freedom of Information request had recently been received by the Freeport's Accountable Body (Leicestershire County Council) from Protect Diseworth. 	

	<p>A response would be produced taking into account commercial confidentiality issues. The Board agreed with the approach set out in the paper produced by the Accountable Body.</p> <ul style="list-style-type: none"> • It was agreed that Freedom of Information requests would not usually be presented to the Board and that a framework should be produced for any future queries. The Freeport’s Executive Delivery Team would develop a document in conjunction with the accountable body. All EMF-relevant queries would be shared with the Executive Delivery Team first and consideration would need to be given to commercially sensitive information. If there was to be a reference to any specific tax site or operator in any future Freedom of Information correspondence, it was asked that the Tax Site Operator be given advance notice of this. • The Board confirmed that it was fully committed to transparency and that it would publish redacted versions of the Full Business Case and Memorandum of Understanding in line with agreed timescales. • Separately, the Board Effectiveness Review had been deferred until June. 	PM
5.	<p><u>CEO Update.</u></p> <ul style="list-style-type: none"> • Subsidy Schemes for Freeport business rates relief and seed capital allocations had now been published by Department for Levelling Up, Housing & Communities and confirmation had been received that the tax window had been extended. The Executive Delivery Team was congratulated on securing this. • A Target Operating Model had been circulated to the Board; this included recruitment proposals for four new posts within the Executive Delivery Team. Further details on the Target Operating Model would be shared with the Board, as requested. Recruitment would be launched shortly, and members were asked to let the Chief Executive know of any possible suitable candidates. • It was now possible to submit a bid to the Investment Opportunity Fund. • An event, led by Midlands Connect, was due to take place in July to consider the work around Junction 24 of the M1. • It had been agreed with all Billing Authorities that any advice in relation to subsidy control should be sought from Bevan Brittan. South Derbyshire District Council 	ALL

	<p>and North West Leicestershire District Council were the last two to confirm this position in writing.</p> <ul style="list-style-type: none"> • A report would be presented to the next meeting of the Board on the final proposition for branding and marketing for the Freeport. 	DC
6.	<p><u>Governance.</u></p> <p>The Government had now approved EMF's tax relief window extension, based on the information provided, and had also published its business rates relief subsidy scheme.</p> <p>All parties were now required to review and approve the final suite of governance documents required to make each partner organisation Members and appoint Directors. It was the intention for this to be completed by the end of June. This would mean that the Freeport was fully operational as a Company and Board soon thereafter.</p> <p>As prospective members and directors of the Company, the Board supported the proposed timeline and scope of necessary edits to finalise the process to establish the Company, membership and directorship formally so that company formation could be progressed ahead of the Board Strategy Day in July.</p>	ALL
7.	<p><u>Transport.</u></p> <p>The Board received a presentation from Midlands Connect on transport, including road, rail and active travel, in and around the EMF tax sites. These presented both challenges and opportunities and an overview was given of the strategic transport context, existing initiatives to address key challenges (including a focus on M1 J24 and the alignment of regional transport modelling), and opportunities for sustainable growth, including the EMF funded Wider Integrated Strategy for Energy, Rail & Road project, Green Freight Corridors and regional investment.</p> <p>It was noted that an event was due to take place on 8 July, led by Midlands Connect, to raise the profile of the issues surrounding Junction 24 of the M1 with Government.</p> <p>The Board was invited to discuss the strategic transport challenges and opportunities. Arising from the discussion, the following comments were made:</p> <ul style="list-style-type: none"> • There was collective support for the work being undertaken by Midlands Connect, and the possibility of different organisations coming together to discuss 	

	<p>transport was welcomed as it was considered essential that everyone worked together.</p> <ul style="list-style-type: none"> • Consideration needed to be given by manufacturers to the use of alternative fuels such as hydrogen, not just electric vehicle charging. It was noted that EMF was progressing the development of a Green Freight Corridor with Freeport East, and it was the intention that the Memorandum of Understanding would be launched next week. • Assurance was given that Midlands Connect was aware of and effectively coordinating discussions with a variety of groups and local authorities around these issues and was ensuring that interfaces were taking places across all forums and workstreams. • It was reported that the Wider Integrated Strategy for Energy, Rail & Road would focus on four main areas – local transport/wider integration, Junction 24, alternative fuels and rail freight. • In relation to Junction 24, it was noted that National Highways was already undertaking analysis, which was felt to be a positive step. As well as advocacy work, Midlands Connect needed to ensure that the detailed analytical and scheme design work was taking place on interim solutions, whether or not it was led by National Highways. • It was important for transport to remain as a key factor in all strategies (for example, around skills) and it was essential that there would be early interventions whilst longer term strategies were being developed. The main challenge would be moving things forward and ensuring they were delivered. • In terms of securing investment, it would be necessary to make a strong case for urgency whilst emphasising the clear economic benefits and unique position of EMF in the centre of the country. • Work would take place with Midlands Connect on the detailed plan, ensuring that activities across the region (not all owned by Midlands Connect/EMF) matched with/answered the priority objectives around unlocking tax site development. 	KG
8.	<p><u>EMF Programme Update.</u></p> <p>The Board considered a programme update, which summarised the status of the seed capital programme and EMF risks and issues.</p> <p>It was noted that there were some tax site specific risks and new risks had been added. It was the intention to establish a public sector working group to consider planning issues and</p>	

	<p>North West Leicestershire District Council was asked to reconsider participating within this group (whilst being aware of their statutory planning role). The Board agreed that it would be useful to have a summary dashboard on programme risks and mitigations.</p> <p>On budget monitoring risks, it was agreed that a report would be presented to the Board on a quarterly basis.</p>	<p>NWL</p> <p>PM</p>
<p>9.</p>	<p><u>Communications, Marketing and Inward Investment.</u></p> <p>The Board received an update on comms, marketing and inward investment activity.</p> <p>The redacted Inward Investment Enquiry Log had been circulated prior to the meeting and it was reported that there was a regular stream of enquiries being received. A query was raised around whether enquiries were forwarded elsewhere if they did not fit with EMF. If appropriate (and where not an obvious fit with EMF sites), the enquiries could be forwarded elsewhere, to local authorities, regional and sub-regional agencies, and other bodies such as universities. EMF already worked closely with regional partners and discussions were taking place with the East Midlands Combined Authority in relation to Investment Zones. It was also stated that local authorities had a close link with inward investment and could assist with supply chain discussions.</p> <p>It was questioned by some public sector members why the Board was not being informed of all the enquiries received. The possibility of disclosing this information would be considered further, but EMF needed to handle this information very carefully given commercial confidentiality issues. Some organisations who had made an enquiry would insist on a Non-Disclosure Agreement. It was agreed that it would be useful to have a summary of 'hot leads', rather than just the full Inward Investment Enquiry Log.</p> <p>EMF was attending the UK Real Estate Investment and Infrastructure Forum event, which was taking place in Leeds next week. Both the Chair and Chief Executive would be taking part in a number of discussions and would report back to a future meeting of the Board.</p> <p>In terms of recent media coverage, it was reported that an article was due to appear in the Sunday Times in June around the closure of the Ratcliffe on Soar Power Station.</p> <p>The Business and Trade Select Committee report on the performance of Freeports and Investment Zones had now been published, with the main messages being as expected.</p>	<p>JR</p> <p>TN-T/NS</p>

	AGREED to note the report.	
10.	<p><u>Tax Site Operator Update - Uniper.</u></p> <p>It was agreed that this would be deferred to the next meeting of the Board.</p> <p>An update would also be given by Manchester Airports Group at this meeting.</p>	<p>PC</p> <p>SG</p>
11.	<p><u>Department for levelling Up, Housing & Communities Update.</u></p> <p>The Department for Levelling Up, Housing & Communities representative confirmed there was nothing further to update.</p>	
12.	<p><u>Date of Next Meeting.</u></p> <p>The next meeting of the Board would take place on 19 June at 1.00pm at County Hall, Glenfield.</p>	

10.00am – 12.00pm

17 May 2024

Chair