

FREEPORT EAST SHADOW BOARD

MINUTES OF MEETING HELD ON 13 OCTOBER 2021	
virtual meeting	
Present	George Kieffer (Acting Chair), Mark Taylor (Acting CEO, Hutchison Logistics), Clemence Cheng (Hutchison Ports), Robert Edge and Anita Thornberry (Haven Gateway Partnership), Chris Starkie and Mike Dowdall (NALEP), Steve Evison (Essex County Council), Lee Heley (Tendring District Council), Michael Cousens (Project Manager), Michelle Gordon and Fiona Duhamel (Babergh and Mid Suffolk District Councils), Guy Gibson and Jai Raithatha (Suffolk County Council), Stephen Baker, Paul Wood and Andy Jarvis (East Suffolk Council) and Neil Glendinning (HHA)
Observers	Emily Wright and Avraham Goodman (Department for Levelling Up, Housing and Communities)
Apologies	Paul Davey (Hutchison Ports), Ian Davidson (Tendring District Council), Alex Riley (SELEP) and Andy Burgess (Essex County Council)
1.	Welcome and introductions
	GK welcomed everyone to the meeting and apologies were received as above.
2.	Minutes of the last meeting
	The notes of the meeting held on 03.09.21 were approved subject to it being noted that Lee Heley is representing Tendring District Council rather than Essex County Council.
3.	Declarations of Interest
	Work is ongoing in terms of a simplified form on which to record Declarations of Interest. Details to follow in due course.
4.	Timeline update – FBC submission – recommendation and decision
	<ul style="list-style-type: none"> • Recommendation from the working group is to submit the FBC by the second submission date of 04.03.22 on the basis that feedback on our OBC has only just been received and responding to this is the priority in order for the Freeport to become operational. There are some substantial issues to be addressed before we can submit the FBC, including agreeing the status of Freeport East, agreement on the split of retained rates, the status of employees and which organisations will borrow against the retained rates to enable development. • A Freeport will be designated once the OBC is signed off and at least one tax site and one customs site have been approved. It can then become operational. In view of this, delaying the submission of the FBC will not delay the Freeport becoming operational. In essence, the FBC triggers the release of seed funding and this is not required prior to Q2 of 2022. • The delayed submission will also allow us to recruit a permanent Chair and Chief Executive prior to submission.

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	<ul style="list-style-type: none"> • Discussion following yesterday's meeting with Freeport Hub who are more than willing to support us with our FBC submission and particularly our plans in relation to Skills, Innovation, Trade, Investment, Environment and Equalities which are necessary components of the FBC. • Agreed that the amount of work required to submit the FBC should not be underestimated, as well as the need to co-ordinate the FBC's route through local authority approval channels. East Suffolk Council will be the last to take this through their approval route since it is the Lead Authority. • EW confirmed that there would be no detrimental impact to Freeport East if they submit by the second date. • We are currently moving through the formal designation process with the secondary legislation (Statutory Instrument) process anticipated during November 2021. • CS suggested that each of the working groups required a degree of dedicated support and appropriate funding for this. This will be discussed further outside of the meeting. • Agreed that the decision to submit by the second date needs to be communicated in order to manage expectation, particularly in terms of the profile of Freeport East in Parliament. Momentum must not be lost and we must ensure the support of local MPs. • Agreed to explore the potential for a formal launch event, potentially in Westminster, at the point of designation. • The Shadow Board resolved to submit the FBC by the second date of 04.03.22.
5.	Revenue funding – latest statement of account
	<ul style="list-style-type: none"> • Statement of account, as at 08.10.21, considered. • £395k has been committed leaving a balance of £154k. • AG was unable to confirm when the further funding of £700k (to cover the period until the retained business rates begin to flow) will be made available, but advised that the further instalment would be available in fiscal 2022/23. • Agreed that any additional funding requirements (for additional resources etc) need to be known sooner rather than later.
6.	Outline Business Case – feedback to date
	<ul style="list-style-type: none"> • MC fed back following the Freeport Hub meeting yesterday. There are a number of critical actions on which work has already begun. • Although all the necessary information has been communicated verbally, this is not all specifically referenced in the OBC which will now be rectified. • Overall, the feedback was positive and we are in a good position. • Management case – we have only identified 0.2 equivalent for the Chair (1 day per

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	week) and the Freeport Hub has offered to support us with this by looking at what others have done.
7.	Governance – members invites and nominations for HE/FE position
	<ul style="list-style-type: none"> • It was proposed that this should be the last Shadow Board with future meetings (from 12.11.21) becoming meetings of the Shadow Supervisory Board with Councillors and a representative from the further/higher education sector included. • Appropriate representatives from the further/higher education sector to be passed through to GK in order for him to make contact. GK had previously approached the University of Suffolk and FD confirmed that the University of Essex was interested. Agreed that we should cast our net wide. • The proposal was agreed and local authority partners will now arrange for the attendance of their lead Councillors. • The terms of reference state that there will be just one County Council representative and this representative will need to be agreed outside of the meeting.
8.	Incorporation – Freeport East Limited
	<ul style="list-style-type: none"> • A meeting of all local authority Monitoring Officers and Section 151 Officers has taken place to consider the legal and financial implications of the corporate form of Freeport East. These will be ongoing meetings. • Browne Jacobson Solicitors have been engaged to provide legal advice, particularly in relation to the creation (and implications of) the corporate vehicle which is the Government’s preferred option. Note to follow as this requires clear justification. • As part of our OBC, MT will be looking to submit outline proposals to recruit a permanent Chair (part time) and Chief Executive (full time) which will be circulated in due course with a firm proposal to the next meeting • MT is currently working on updated tax site maps in light of new guidance received last week. • The guidance issued by HMRC around custom sites and operators discussed. We have applied to be an operator of two of our entities (Hutchison Ports and PD Ports). These will be our initial approved sites. HMRC requires Authorised Economic Operator accreditation (security standards) which is in place at Hutchison Ports and the possibility of extending this to include the tax site is being explored. Awaiting confirmation from HMRC that the accreditation can be adapted in this way and the outcome will help other sites within Freeport East.
9.	Any Other Business
	No items.
	Meeting closed at 12:30