



BLACK COUNTRY EXECUTIVE JOINT COMMITTEE

Wednesday 19 April 2017, 12.00pm

To Be Held at:

The City of Wolverhampton Council,
The Civic Centre, Committee Room 1

MINUTES

VOTING MEMBERS

Councillor Peter Lowe, Dudley MBC (Chair)
Councillor Steve Eling, Sandwell MBC
Councillor Sean Coughlan, Walsall MBC
Councillor Roger Lawrence, Wolverhampton CC

NON VOTING MEMBERS

Stewart Towe, Black Country LEP Board

IN ATTENDANCE

Sarah Norman, Dudley MBC
Jan Britton, Sandwell MBC
Paul Sheehan, Walsall MBC (Secretary)
Mark Taylor, Wolverhampton CC (sub)
Sarah Middleton, The Black Country Consortium Ltd

INVITED GUESTS

Alan Lunt, Dudley MBC
Paul Mountford, Sandwell MBC
Simon Neilson, Walsall MBC
Tim Johnson, Wolverhampton CC

1. **Apologies**

Keith Ireland, Wolverhampton CC

2. **Notes of Previous Meeting held on 8 March 2017**

17/0029 It was resolved that:

The notes of the meeting held on 8 March 2017 be confirmed as a true record.

3. **Matters Arising from the notes of the previous meeting**

None.

4. **Declarations of Interest**

None.

5. **Local Government (Access to Information) Act, 1985 (as amended):**

To agree that the public be excluded from the private session during consideration of the agenda items indicated for the reasons shown on the agenda.

None

6. **Black Country Local Growth Deal Dudley Bus Station, Development Funding – Grant Agreement Approval**

Dudley Bus Station project is a major strategic infrastructure project for Dudley town centre that will increase the operational capacity and improve the safety of the bus station facilities. The proposed redevelopment will provide improved access to public transport for residents, visitors and businesses within the town. It forms the first phase in the construction of a multi-modal transport interchange that will include a stop for the Midland Metro, the preferred alignment of which is adjacent to the site.

The redevelopment of Dudley bus station will maintain the existing stand capacity in advance of the construction of the Wednesbury to Brierley Hill Metro extension scheme.

The original bid approved by the Joint Committee on the 23rd November 2016, (ref: 16/0055 BCJC minutes), granted £200,000 for Dudley Council and a Grant Agreement was in the process of being drafted by the Accountable Body. A subsequent request to change the grant recipient to TfWM supported by Dudley Council has now been received by the Accountable Body, Walsall Council. These changes and delays mean that a request to the Joint Committee is now being progressed to approve a 2016/17 funding change outside of that financial year, but will fall within the spending period for the claim for 2016/17, which runs through to July 2017.

17/0030 It was resolved that the BCJC:

- 2.1 approves for the Accountable Body for the Growth Deal (Walsall Council) to proceed to Grant Agreement with **Transport for West Midlands (TfWM) to transfer £200,000 of LGF/LTB funding** (originally allocated to the Aldridge Station scheme) to support delivery of the Dudley Bus Station Redevelopment transport scheme development funding. This decision replaces that of the BCJC on 23 November 2016 (Minutes 16/0055) where the Grantee was incorrectly named as Dudley Council.
- 2.2 approves a revised profile for the grant award, allocating £170,000 in 2016/17 and £30,000 in 2017/18, within the original grant allocation of £200,000.
- 2.3 notes and accepts the proposal from TfWM to underwrite this grant award through the appropriate Grant Agreement to be issued by the Accountable Body.

7. **Black Country Local Growth Deal – Accessing Growth Programme, B4176 Himley Road/Bull Street, Gornal Junction Improvement – Grant Agreement Approval**

One of the main highway accesses to Pensnett Trading Estate from the north is via the B4176 Himley Road/Bull Street traffic signal junction, which suffers from significant queuing and delays, particularly at peak times, and therefore acts as a barrier to growth and constrains access.

The proposal to improve the junction involves upgrading the existing traffic signal installation and providing improved detection, via the introduction of Scoot/Mova

technology to improve efficiency and reduce delays. This will also improve access and journey times to Pensnett Trading Estate from the surrounding local and strategic highway network.

The proposal will also improve safety and journey times to the Estate by public transport. Furthermore, the junction improvement will support the introduction of an additional 756 dwellings in the locality between now and 2026 by improving access to housing sites off Cinder Road, Tansey Green Road and Stallings Lane.

17/0031 It was resolved that the BCJC:

approves the Accountable Body for the Growth Deal (Walsall Council) to proceed to a Grant Agreement with **Dudley Council for £90,000** to deliver the Local Growth Fund (LGF) funded elements of the Accessing Growth B4176 Himley Road/Bull Street, Gornal – Junction Improvements project - with delivery to commence in the 2017/18 financial year.

8. **Black Country Local Growth Deal – Chances Glassworks – Grant Agreement Approval**

Recent discussions between CGWHT and Sandwell Council have resulted in the Council agreeing to act as the applicant for the full £660,000 grant award on behalf of Chances Glassworks Heritage Trust (CGWHT). If approved this will provide Chances Glass Works Heritage Trust (CGWHT) with the comfort required to commence formal negotiations with the current owners to acquire the remaining lease interest and to provide the catalyst to bring forward the wider regeneration of the site.

It is anticipated that future funding requests from CGWHT will be submitted to BC LEP for additional Growth Deal funding to support Phases 2 and 3 of the regeneration plans.

17/0032 It was resolved that the BCJC:

2.1 approves the Accountable Body for the Growth Deal (Walsall Council) to proceed to a Grant Agreement with **Sandwell Council for £660,000** to deliver the Local Growth Fund (LGF) funded elements of the Chances Glassworks Site Assembly project - with delivery to commence in the 2017/18 financial year. **This decision replaces that of the BCJC on 25 November 2015 (Minutes 15/0063) where the Grantee was Chances Glassworks Heritage Trust Ltd (CGWHT).**

2.2 approves a revised profile for the grant from 2015/16 to 2017/18 financial year.

2.3 The project will be underwritten by Sandwell Council.

9. **Black Country Local Growth Deal – Growing Priority Sectors Individual Project Decision - Chicken Joes Limited – Grant Agreement Approval**

A request for £158,000 for a £790,000 project to build on the company's already significant investment in staff and facilities at its Walsall manufacturing site; to fund the purchase of new machinery necessary to expand the business to meet increasing demand and to bring new products to market.

17/0033 It was resolved that the BCJC:

approves Sandwell MBC to move to contracting with **Chicken Joes Limited for £158,000, from the Growing Priority Sectors programme of works** totalling £6.5m, to deliver the Local Growth Fund (LGF) funded elements of the Growing Priority Sectors Chicken Joes project - with delivery to commence in the 2017/18 financial year.

10. **Black Country Local Growth Deal – Accessing Growth Programme – A454 City East Gateway & A449 City North Gateway – Change Request – Approval to Amend the Existing Grant Agreement**

Early modelling work has revealed issues with Prism 4.6 model and Tempro 7 forecasts around Wolverhampton specifically. Meetings have been held with WMCA and an acceptable way forward has been established allowing compliant assessment with minimum programme delay. However, there will be a minor delay to the programme completing in current financial year. Circa £40,000 of works are anticipated to slip into 2017/18.

17/0034 It was resolved that the BCJC:

approve the Accountable Body for the Growth Deal (Walsall Council) to proceed to amending the existing Grant Agreement with **the City of Wolverhampton Council** to deliver the Local Growth Fund (LGF) funded elements of the Accessing Growth - A454 City East Gateway & A449 City North Gateway scheme. The change for which approval is requested is the **transfer of grant funding allocated in 2016/17 of £40,000 into 2017/18.**

11. **Black Country Local Growth Deal – West Coast Mainline HS2 Study, Sandwell – Development Funding – Grant Agreement Approval**

This work seeks to evaluate all of the stations situated within the Black Country on the West Coast Mainline/Stour Valley (i.e. Wolverhampton Line) and Chase Line north of Walsall to determine which stations have the potential for wider development. The study will assess the need for redevelopment, the possibility of becoming interchanges with other modes of transport such as metro and the identification of potential barriers to delivery. The study will predominantly focus on the Dudley Port and Sandwell & Dudley Stations in the first instance.

17/0035 It was resolved that the BCJC:

2.1 approves the Accountable Body for the Growth Deal (Walsall Council) to proceed to a Grant Agreement with **Sandwell Council for £40,000 of Pre-**

allocated Local Growth Fund (LTB) funding (originally allocated to the Aldridge Station scheme) to deliver the West Coast Mainline HS2 Study transport project (development funding) – with delivery to commence in the 2017/18 financial year.

2.2 This development funding to be underwritten by Sandwell Council.

12. **Black Country Local Growth Deal West Coast Mainline HS2 Study, Walsall – Development Funding – Grant Agreement Approval**

This work seeks to evaluate all of the stations situated within the Black Country on the West Coast Mainline, Stour Valley and Chase Line to determine which stations have the potential for wider development. The study will assess the need redevelopment, the possibility of becoming interchanges with other modes of transport such as metro and the identification of potential barriers to delivery. The study will predominantly focus on the Dudley Port and Sandwell & Dudley Stations in the first instance.

17/0036 It was resolved that the BCJC:

2.1 approves the Accountable Body for the Growth Deal (Walsall Council) to proceed to an **appropriate form of internal Agreement with Walsall Council for £40,000** of Pre-allocated Local Growth Fund (LTB) funding (originally allocated to the Aldridge Station scheme) to deliver the West Coast Mainline HS2 Study transport project (development funding) – with delivery to commence in the 2017/18 financial year.

2.2 This development funding to be underwritten by Walsall Council.

13. **Black Country Local Growth Deal – Aldridge Line & Mill Lane Bridge “Grip 3” studies, Development Funding – Change Request – Approval to Amend the Existing Agreement**

The commissioning of the work has been delayed as this is a highly specialised type of study which will require close working with Transport for West Midlands (TfWM) and Network Rail to ensure the study produced delivers the necessary requirements set out by Network Rail’s GRIP Level approvals process. Engagement with TfWM and Network Rail has taken longer than initially anticipated. Commissioning of the study will occur in March 2017, with the commission starting in April 2017. It is anticipated that the entire £120k allocation will now be spent in 2017/18.

17/0037 It was resolved that the BCJC:

The BCJC approves for the Accountable Body for the Growth Deal (Walsall Council) to proceed to **amending the existing form of appropriate Agreement with Walsall Council** to deliver the Pre-allocated Local Growth Fund (LTB) funded elements of the Mill Lane Bridge GRIP 3 Study & Aldridge Line Aqueduct GRIP 3 Study transport project (development funding). **The change for which approval is requested is the transfer of the full grant funding allocated in 2016/17 of £120,000 into 2017/18.**

14. **Black Country Local Growth Deal – M6 Junction 10 – Change Request – Approval to Amend the Existing Agreement**

The project owners (Walsall Council) are seeking approval to bring forward £200,000 of the LTB allocation from 2018/19 into 2017/18 to align with development timelines. The Construction period remains as forecast between 2018/19 – 2019-20.

17/0038 It was resolved that the BCJC:

approve the Accountable Body for the Growth Deal (Walsall Council) to proceed to **amending the existing Agreement with Walsall Council** to deliver the Pre-allocated Local Growth Fund (LTB) funded elements of the M6 Junction 10 project. **The change for which approval is requested is the transfer of LTB funding of £200,000 from 2018/19 into 2017/18.**

15. **Black Country Local Growth Deal – Former Willenhall Severn Trent Works (Site Investigation) – Grant Agreement Approval**

The application was submitted by Midland Land Portfolio Limited ('MLP') required for site investigation works only. Funding for remediation/demolition may be the subject of a future bid by MLP.

The Council own land required to provide an acceptable access solution to service that land in the ownership of MLP (a subsidiary of Severn Trent Water plc which is responsible for Severn Trent's surplus assets) and forming the main element of this application. The site is proposed to provide employment development (industrial).

Thomas Lister Ltd (consultants engaged by the LEP) have assessed the application and advised that total cost of eligible site investigation works is £139,757.

17/0039 It was resolved that the BCJC:

2.1 the Accountable Body for the Growth Deal (Walsall Council) to enter into a Grant Agreement with **Midland Land Portfolio Limited for £139,757** to deliver the Local Growth Fund (LGF) funded elements of the Former Willenhall Severn Trent Works Site Investigation - with delivery to commence in the 2017/18 financial year.

2.2 The form of underwriting to be a clawback arrangement with the bidder Midlands Land Portfolio.

16. **Black Country Local Growth Deal – Walsall Waterfront – Change Request – Approval to Amend the Existing Grant Agreement**

The original £415,000 Walsall Waterfront scheme has undergone a range of refinements over the last 12 months, with details contained in the report. A refined remediation solution for the site will now be delivered and practically complete (committed) within 2016/17; with the tendered costs for the remediation works

received and now in contract being less than originally anticipated. In addition, the outputs as originally contracted were based on a particular scheme for an occupier that the Grantee was working with at that time; this interest has since fallen away. Whilst the scope of the project has not changed (i.e. site remediation works to subsequently enable redevelopment), it is acknowledged that outputs relating to the future development of the site (jobs, floorspace and homes etc) are indirect outputs of the remediation works rather than direct and that these figures will be further refined as a development is progressed.

17/0040 It was resolved that the BCJC:

2.1 approves the Accountable Body for the Growth Deal (Walsall Council) to proceed to **amending the existing form of Agreement with Walsall Council (Grantee)** to deliver the Local Growth Fund (LGF) funded elements of the Walsall Waterfront project. The Changes for which approval are requested are:

- 2.1.1 The removal of indirect outputs relating to the delivery of 190 Jobs Created, 300 Jobs Safeguarded, 30 Housing Units and 3 Business Assists, and to contract against delivery of 0.89 ha of remediated land only;
- 2.1.2 An amended Grant Allocation of £142,175 in 2016/17. This is a reduction in the overall grant allocation of £241,187.

17.

Black Country Local Growth Deal – Changes to Delegations from the Black Country Executive Joint Committee to the Chair of the Working Group

The proposal outlined in the report will help address the issues of managing Change Control which have not been fully addressed by the current delegations.

17/0041 It was resolved that the BCJC:

2.1 The BCJC approves the following changes to the Delegated Authority from the Joint Committee to the Chair of the Working Group:

- An increase in the authority delegated to approve changes in grant allocation at year end only from 10% to 15%;
- A financial limit on individual change requests of £300,000 in addition to the existing limit of 10% of the total project value;
- That changes of between 0 and 5% are considered to be re-forecasting and do not need to be reported to the LEP Board or the Joint Committee until the final report on changes to the programme is presented to the Joint Committee in June each year.

2.2 note the changes, outlined at section 3.4 of this report, to the consultees with whom the Chair of the Working Group will consult on changes (except those at year end).

18. **Delegated Authority - Black Country Local Growth Deal – Bull Street Site Investigation – Change Request Approval for Noting**

Sandwell Council were allocated £59,000 to conduct site investigations at Bull Street. The tendered costs for the all site investigation works came in at c£32,000 – a including Phase I Ecology Survey at £3,205 - creating an estimated under-spend of c£27,000.

The Phase I Ecology Survey is complete and recommends that further surveys, which can only be conducted during March/April/May (seasonal), are completed to inform the Site Investigation. The quote to extend the surveys is £2,761 - this would result in a revised Grant Award of £34,761.

17/0042 It was resolved that the BCJC:

- 2.1 note that the Executive Director for Economy and Environment within Walsall Council in his role of Chair of the City Deal and Growth Deal Working Group has used his Delegated Authority to approve the Accountable Body for the Growth Deal (Walsall Council) to proceed to **amending the existing Grant Agreement with Sandwell Council to reflect a reduced grant award of £34,761** to deliver the Local Growth Fund (LGF) elements of the Bull Street Site Investigation project, with delivery to commence in the 2016/17 financial year.
- 2.2 That the Joint Committee note that the Change Request approved under delegated authority also includes the following:
 - A change in scope to enable further ecological surveys to better inform the Full Business Case;
 - A transfer of £2,761 from 2016/17 into 2017/18 to enable the seasonal ecological surveys to be completed in May 2017.
- 2.3 Approval of this change by the LEP Board was achieved on 13th February 2017. The need to use delegated authority was identified as the approval of the change was time-critical to enable full utilisation of grant in 2016/17.

19. **Delegated Authority - Black Country Local Growth Deal – Walsall College Additional Engineering Equipment – Change Request Approval for Noting**

Due to a rounding error, the total LGF funding (2016/17) approved was £149,000 but should have been £149,250. As the change is for £250 only, Delegated Authority approval was sought to enable the project to claim the 2016/17 allocation by 31/03/2017.

17/0043 It was resolved that the BCJC:

- 2.1 note that the Executive Director for Economy and Environment within Walsall Council, in his role of Chair of the City Deal and Growth Deal

Working Group, has used his Delegated Authority to approve the Accountable Body for the Growth Deal (Walsall Council) to proceed to **amending the existing Grant Agreement with Walsall College to reflect an increased grant award of £149,250** to deliver the Local Growth Fund (LGF) elements of the Additional Engineering Equipment project, with delivery to commence in the 2016/17 financial year. Approval of this change was achieved under the authority delegated to the SEP Delivery Director from the BC LEP Board.

- 2.2 The need to use delegated authority was identified as the change was for a very small increase in grant award.

20. **Black Country Local Growth Deal – Updated Black Country LEP Assurance Framework**

An updated National Assurance Framework has been published by Government (November 2016) in response to a report by the Committee of Public Accounts; which reflects “current policy and current expectations of LEPs in relation to accountability, transparency and value for money”. It is important that the Black Country LEP Assurance Framework reflects the National Assurance Framework and it is complied with in all business conducted by the BC LEP and Joint Committee.

17/0044 It was resolved that the BCJC:

- 2.1 approve the revised Black Country LEP Assurance Framework following the release of the revised National Assurance Framework published by Department for Local Communities and Government (DCLG) in November 2016.
- 2.2 note the updated BC LEP Assurance Framework (Attachment 1), and that the National Assurance Framework document has been revised to better reflect current policy and expectations of LEPs in relation to accountability, transparency and value for money.
- 2.3 note that the Section 151 Officer at each of the Black Country’s Accountable Bodies and Chief Executive of the Black Country Consortium is required to write to the DCLG’s Accounting Officer each February to confirm that the revised Assurance Framework has been agreed, is being implemented and that it meets the revised standards set out in the LEP National Assurance Framework.
- 2.4 note the need for further briefings on the updated BC LEP Assurance Framework and its implications for each of the Accountable Bodies for the BC LEP’s activities.
- 2.5 note that the LEP Assurance Framework is an evolving document and as such further revisions will be developed by the Accountable Body and the Black Country Consortium to ensure it meets latest standards and practices.