

# BLACK COUNTRY EXECUTIVE JOINT COMMITTEE

On Wednesday 24 June 2020 at 9.30am

To be held via a Teams Virtual Meeting

## PUBLIC MINUTES

### VOTING MEMBERS

Councillor Patrick Harley, Dudley MBC  
Councillor Yvonne Davies, Sandwell MBC  
Councillor Mike Bird, Walsall MBC (Chair)  
Councillor Ian Brookfield, City of  
Wolverhampton

### IN ATTENDANCE

Kevin O'Keefe, Dudley MBC  
David Stevens, Sandwell MBC  
Dr Helen Paterson, Walsall MBC  
Tim Johnson, City of Wolverhampton

Sarah Middleton, The Black Country  
Consortium Ltd

### NON VOTING MEMBERS

Tom Westley, Black Country LEP

### INVITED GUESTS

Helen Martin, Dudley MBC  
Dr Alison Knight, Sandwell MBC  
Simon Neilson, Walsall MBC  
Richard Lawrence, Wolverhampton CC  
Stuart Everton, Black Country Director of  
Transport  
Lara Smith, The Black Country Consortium  
Ltd

Councillor Bird welcomed everyone to the virtual meeting which is being held in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Councillor Bird advised that the requirement for meetings to be quorate still applies but should the meeting become inquorate (less than 3) due to technological issues, then he will adjourn the meeting for a defined period to allow for reconnection.

Councillor Bird then asked each participant to confirm that they could see and hear proceedings.

### Apologies

None.

### Notes of Meeting held on 12 February 2020

Decision 20/0011

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:

Resolved (unanimously)

That the notes of the meeting held on 12 February 2020 be confirmed as a true record.

### Matters Arising from the notes of the previous meeting

None.

### **Declarations of Interest**

None.

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

To agree that the public be excluded from the private session

Decision 20/0012

It was resolved that:

The public be excluded from the private session during consideration of items 20 – 27.

Not for publication by virtue of paragraph 3 of Schedule 12(A) of the Local Government Act 1972 (as amended)

### **Growing Places Fund – DAISY BANK SITE INVESTIGATION – Amendment to Existing Grant Agreement**

Lara Smith (supported by Richard Lawrence) referred to the report previously circulated that explains that the grant funding was approved in April 2019 for £13,107.50. Since the project approval, the Site Investigation has progressed well. No further investigative works are required and as a result a Change Request has been submitted by the project manager due to the project concluding under budget, with a cost saving.

Decision 20/0013

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:

Resolved (unanimously)

2.1 That the Joint Committee approves the Accountable Body for the Growing Places Fund (Walsall Council) to proceed to amending the Grant Agreement with Wolverhampton City Council for the Growing Places Fund funded elements of the Daisy Bank Site Investigation project.

2.2 Notes that there was a positive outcome of an underspend on the Site Investigation. The LEP funds were underspent by £3,005 and the applicant's leverage reduced by a further £5,563.

### **Growing Places Fund – WOLVERHAMPTON ENVIRONMENT CENTRE SITE INVESTIGATION – Amendment to Existing Grant Agreement**

Lara Smith (supported by Richard Lawrence) referred to the report previously circulated that the grant funding was previously approved of £7,421.26. Since the project approval the Site Investigation has progressed well. No further investigative works are required and as a result a Change Request has been submitted by the project manager as the project has been concluded under budget, with a cost saving.

Decision 20/0014

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

2.1 That the Joint Committee approves the Accountable Body for the Growing Places Fund (Walsall Council) to proceed to amending the Grant Agreement with Wolverhampton City Council for the Growing Places funded elements of the Wolverhampton Environment Centre Site Investigation project.

2.2 Notes that there was a positive outcome of an underspend on the Site Investigation. The LEP funds were underspent by £2,323 and the applicant's leverage reduced by a further £995.

**Growing Places Fund – WM5G PROJECT BLACK COUNTRY LEP DEVELOPMENT CONTRIBUTION – Grant Agreement Approval**

Decision 20/0015

The report was presented in private session and a decision was made following consideration of the confidential information – see Item 21.

**Black Country Land and Property Investment Fund – IRON PARK MOXLEY – Grant Agreement Approval**

Decision 20/0016

The report was presented in private session and a decision was made following consideration of the confidential information – see Item 22.

**Black Country Land and Property Investment Fund – PHOENIX 10 – Amendment to Existing Grant Agreement**

Decision 20/0017

The report was presented in private session and a decision was made following consideration of the confidential information – see Item 23.

**Black Country Land and Property Investment Fund – SANDWELL HOUSING GAP FUNDING – PHASE 1 – Grant Agreement Approval**

Decision 20/0018

The report was presented in private session and a decision was made following consideration of the confidential information – see Item 24.

**Black Country Land and Property Investment Fund – MUSIC INSTITUTE – Programme Change FOR NOTING**

Lara Smith (supported by Helen Martin) referred to the report previously circulated that details the project which includes the purchase and refurbishment of an existing building - Cable Plaza (previously owned by INTU and unoccupied for circa eight years), and the construction of new high-quality student accommodation which has the potential to unlock an investment opportunity of approximately £37m.

To date all LPIF funds have been drawn down and the building refurbishment works have been completed to an exceptionally high standard, on time and within budget. The college is now commencing promotional work and seeking to enrol students ahead of the next academic year, starting in September 2020.

As the new residential units were targeted towards student accommodation, and these are counted as 4 units to 1, a change request is required to reduce the original forecast from 600 units to 150. It has been confirmed that the developer has submitted an updated planning permission for the new housing units to Dudley Council.

Decision 20/0019

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

2.1 That the Joint Committee notes the reduction of the original outputs forecast for the Land and Property Investment Fund (LPIF) funded elements of the Music Institute project due to project outcomes being now counted as 4 units to 1 (4 student accommodation units counted as 1 residential unit) within the LPIF programme.

2.2 Note a reduction of the Student Accommodation forecast from 600 units to 150.

2.3 Note a reduction on the Housing Output forecast of the LPIF Tranche 1 funding from 1600 down to 1150.

### **Black Country Enterprise Zone – BOXPOOL – Grant Agreement Approval**

Decision 20/0020

The report was presented in private session and a decision was made following consideration of the confidential information – see Item 27.

### **Black Country Growth Hub – GROWTH HUB FUNDING AGREEMENT APPROVAL 2020/21**

Lara Smith (supported by Simon Neilson) referred to the report previously circulated advising that The Black Country Growth Hub is a partnership made up of Dudley Council, Sandwell Council, Walsall Council, City of Wolverhampton Council, the Black Country Chamber of Commerce, the Black Country Consortium (BCC Ltd) and the University of Wolverhampton. BCC Ltd now manages the Grant on behalf of Walsall Council through the Black Country Growth Hub Strategic Board, which reports into the Competitiveness Theme Advisory Board.

Day to day activity is administered by the Head of the Black Country Growth Hub, employed by the Black Country Consortium. In April 2020, Walsall Council received and accepted the official offer letter from BEIS confirming the Funding for 2020/2021 financial year.

Cllr Brookfield asked when the additional allocation of £10m funding announced by the Government for all of the Growth Hubs would be arriving.

Sarah Middleton advised that once BEIS confirm this funding a further paper will be taken to the LEP Board and then onto the Black Country Joint Committee. This is expected around July time.

Decision 20/0021

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

That the Joint Committee approves for the Accountable Body for the Black Country Growth Hub (Walsall Council) to proceed to a Grant Agreement, with the Black Country Consortium Ltd, to deliver the Black Country Growth Hub Funding for 2020/21.

### **Black Country Local Growth Deal – WOODS LANE PHASE 2 – Amendment to Existing Grant Agreement**

Lara Smith (supported by Alison Knight) referred to the report previously circulated that It has also been announced that Galliford Try have changed its name to Vistry Group PLC, saying the proposed new corporate name will be used for both the enlarged group's housebuilding and partnerships businesses. The enlarged housebuilding business will continue to operate with both the Bovis Homes and Linden Homes brands.

These changes in no way impact the final outcome of the Woods Lane Phase 2 project. The construction is well underway with a number of new housing units already completed onsite. Vistry have provided the necessary documentation required to the Programme Management Office and the Accountable Body, which is currently under review with legal advice being sought to verify the security provided for the grant funding.

Decision 20/0022

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

2.1 That the Joint Committee approves the Accountable Body for the Growth Deal (Walsall Council) to proceed to amending the Grant Agreement with Galliford Try Partnerships Limited to change the company name to Vistry Partnerships Limited to deliver the Local Growth Fund (LGF), funded elements of the Woods Lane Phase 2 Project.

2.2 Notes that this change request relates to a change of company name and registered office address.

## **Black Country Local Growth Deal – CITY LEARNING QUARTER SITE INVESTIGATION – Amendment to Existing Grant Agreement**

Decision 20/0023

The report was presented in private session and a decision was made following consideration of the confidential information – see Item 25.

## **Black Country Local Growth Deal – FAB KIT FAB LAB – Amendment to Existing Grant Agreement**

Lara Smith (supported by Alison Knight) referred to the report previously circulated that confirms that the project completed in 2016, the funding is fully claimed and the project is at output monitoring stage. A change request has been submitted by the Sandwell College to revise the outputs in line with expected results. The initial targets were over ambitious and disproportional to the scale of the funding received. For example, one of the 10 targets were 120 business assists, which has to offer 12 hours assistance or the equivalent of £1000 to count as eligible. This equates to £120,000 worth of assistance, which is three times more than the funding. This is in addition to the £120,000 plus spent on equipment and the project running costs over £60,000 per year. To achieve all the targets more resources would be required, which is not financially viable. The new Outputs are detailed in the report at 3.5.

Decision 20/0024

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

2.1 That the Joint Committee approves the Accountable Body for the Growth Deal (Walsall Council) to proceed to amending the Grant Agreement with Sandwell College to deliver the Local Growth Fund (LGF) funded elements of the Fab Kit – Fab Lab project.

2.2 Notes that this change request relates to a revision of Outputs.

## **Black Country Local Growth Deal – M6 JUNCTION 10 – Amendment to Existing Grant Agreement**

Decision 20/0025

The report was presented in private session and a decision was made following consideration of the confidential information – see Item 26.

## **Black Country LEP Assurance Framework – Revised Appendix 25**

Lara Smith (supported by Sarah Middleton) referred to the report previously circulated that details the requested changes to the Change Control and Delegated Authority processes.

Full details were explained in the report and Appendix 25 to the Black Country LEP Assurance Framework will be updated.

Decision 20/0026

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

Approval of the revised Black Country LEP Assurance Framework Change Control and Delegated Authority governance, attached as Attachment 1 of this report (Black Country LEP Assurance Framework Appendix 25).

### **PRIVATE SESSION (public summary)**

(Not for publication by virtue of paragraph 3 of Schedule 12(A) of the Local Government Act 1972 (as amended))

Councillor Birds asked each person in attendance to ensure and verbally declare that there were no other persons present who were not entitled to either hear or see the proceedings.

### **Notes of Previous Meeting held on 20 May 2020 – Private Session**

Decision 20/0027

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

That the Private Session notes of the meeting held on 20 May 2020 be confirmed as a true record.

### **Growing Places Fund – WM5G Project – Black Country LEP Development Contribution – Grant Agreement Approval**

Lara Smith (supported by Sarah Middleton) referred to the report previously circulated that details that there has been major changes to the funding model for the Government's Urban Connected Cities (UCC) programme, which is a DCMS-led programme to accelerate the deployment of 5G next-generation mobile connectivity in the UK.

WM5G have removed the requirement for LEP's to provide funding towards the actual testbeds. This was previously in the millions for the LEP's. They have proposed asking WMCA for this funding.

LEP's are now observers on the WM5G board, which has been useful to have sight, and to exercise influence and understanding around the development of the various testbeds and accelerators.

The only tangible outcomes that the Black Country will receive for this funding contribution, are the mobilisation documents (business case documentation to take the scheme forward)

from the mobilisation activity for the 5G project. There is an initial gainshare payment from the BDUK / BT superfast broadband project (that was originally funded from the Growing Places Fund programme) that is due to be repaid back in regular payments once the project is brought to a formal closure – which is expected during July – Sep 2020. There is a requirement to reinvest these funds into further Digital Projects.

The BCLEP 5G contribution will be funded from the gainshare payment, once this payment is received by the Single Accountable Body.

Decision 20/0028

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

Following consideration of the confidential information in the Private Session of the agenda:

2.1 That the Joint Committee approves the Accountable Body for the Growing Places Fund (Walsall Council) to proceed to a Grant Agreement with WM5G Ltd for a sum detailed in the Private report to deliver the Growing Places Fund (GPF), funded elements of the WM5G Project with delivery to commence in the 2020/21 financial year.

2.2 That the Joint Committee notes that this contribution is to be funded from the Broadband Gainshare element of the Growing Places Fund Programme.

### **Black Country Land and Property Investment Fund – IRON PARK MOXLEY – Grant Agreement Approval**

Lara Smith (supported by Simon Neilson) referred to the report previously circulated which details the former Moxley Tip site is in a highly accessible location immediately adjacent to the Black Country New Road ('New Road') and Black Country Route, and has direct access within 2 miles to M6 J10. The full 'Iron Park' project site extends to 11.26 ha of which only 0.11 ha are occupied and in use as an MOT testing centre. Some 10.12 ha comprising the former Moxley Tip is owned by Parkhill Estates and is vacant. Parkhill Estates have submitted a full Business Case and have a company on board to let the space. The Due Diligence work is being refreshed and a paper will be submitted to capture the outcome of this. There is still a funding gap on this project, however this is being actively worked through with West Midlands Combined Authority.

Councillor Bird asked for his thanks to be noted to all of the officers that have been involved in bringing this project forward.

Decision 20/0029

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

Following consideration of the confidential information in the Private Session of the agenda:



2.1 That the Joint Committee approves the Accountable Body for the Black Country Land and Property Investment Fund (Walsall Council) to proceed to a Grant Agreement with Parkhill Estates Ltd for £6,500,000 to deliver the Land and Property Investment Fund (LPIF) funded elements of the Iron Park Moxley Project with delivery to commence in the 2020/21 financial year.

2.2 Note the funding sum of £6,500,000 has been requested to be re-allocated to this project from the Phoenix 10 project LPIF allocation.

### **Black Country Land and Property Investment Fund – PHOENIX 10 – Amendment to Existing Grant Agreement**

Lara Smith (supported by Simon Neilson) referred to the report previously circulated that explains the Phoenix 10 site in Walsall is the largest employment site in the Black Country and one of the largest brownfield employment opportunities in the West Midlands. It is part of the Black Country Enterprise Zone (BCEZ) and is located near to significant investments that the Black Country LEP (BC LEP) and its partners are making in new transport infrastructure.

The BC LEP will see a return on its investment in the Phoenix 10 project through the retained business rates that will be generated from occupation of the completed development.

Due to delays with future funding being accessible to the BC LEP for the allocation of funding for new projects, the delivery of the pipeline of priority projects has become more urgent. In order to facilitate and support the delivery of key projects, a proposal has been put forward to reduce the LPIF allocation for the Phoenix 10 project by £6,500,000 and re-allocate this to another key commercial scheme - Iron Park Moxley. The Iron Park Project was approved at the May's 2019 Funding Sub Group and BC LEP Board meetings, however, this approval was subject to funding becoming available. The reduction of the Phoenix 10 project grant will be substituted by funds from the BCEZ. The project falls under the Walsall Council geographical area and Walsall Council, as Local Authority, will be required to borrow £6.5m, which will be recovered from future business rates generated from the site. Walsall Council will require approval from their Cabinet to borrow at a later date.

Councillor Bird asked for his thanks to be noted to all of the officers that have been involved in bringing this project forward.

Decision 20/0030

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

Following consideration of the confidential information in the Private Session of the agenda:

2.1 That the Joint Committee approves the Accountable Body for the Land and Property Investment Fund (Walsall Council) to proceed to amend an Internal Agreement with Walsall

Council to deliver the Land and Property Investment Fund (LPIF) funded elements of the Phoenix 10 Project.

2.2 Approve a reduction in LPIF funds to the value of £6,500,000, already awarded to the Phoenix 10 project, to be reallocated to the Iron Park, Moxley scheme.

2.3 Approve that future business rates generated from Phoenix 10 can be utilised by Walsall Council to recover their borrowing costs (capital payments plus interest) associated with funding in line with the financial model.

### **Black Country Land and Property Investment Fund – SANDWELL HOUSING GAP FUNDING – PHASE 1 – Grant Agreement Approval**

Lara Smith (supported by Alison Knight) referred to the report previously circulated that explains that Sandwell Council have submitted a project bid to the Black Country LEP, relating to three council owned sites, in support of their ambitious plans for new, good quality, low cost housing within the region.

The two sites which are part of this request at Stanhope Road Smethwick and King Street Wednesbury, both of which are considered suitable for residential development but which have remained vacant and under-utilised for a considerable number of years, due to site constraints and market failure through low values attainable.

Decision 20/0031

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

Following consideration of the confidential information in the Private Session of the agenda:

That the Joint Committee approves the Accountable Body for the Land and Property Investment Fund (Walsall Council) to proceed to a Grant Agreement with Sandwell Council to deliver the Land and Property Investment Fund, funded elements of the Sandwell Housing Gap Funding Phase 1 Project – with delivery to commence in the 2020/21 financial year.

### **Black Country Local Growth Deal – CITY LEARNING QUARTER SITE INVESTIGATION – Amendment to Existing Grant Agreement**

Lara Smith (supported by Richard Lawrence) referred to the report previously circulated that details the ongoing support for the, two locations for the new Wolverhampton College proposal – the City Learning Quarter (City Centre Campus) and the City of Wolverhampton Technical Centre (Bilston Campus). Site investigations have recently been concluded at the City Centre Campus to better understand the complexities before a full application for the main scheme was to be submitted (the original grant award of £120,000 was allocated to the City Centre campus). Following on from this, it has been established that site investigations and further development work is required at the Bilston Campus in order to continue design work for the new technical and engineering facility which sits outside of the city centre, rebranded as CoWTECH.

Decision 20/0032

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

Following consideration of the confidential information in the Private Session of the agenda:

2.1 That the Joint Committee approves the Accountable Body for the Growth Deal (Walsall Council) to proceed to amending the Grant Agreement with Wolverhampton City Council to deliver the Local Growth Fund (LGF), funded elements of the City Learning Quarter Site Investigation project with delivery to commence in the 2020/21 financial year.

2.2 That the Joint Committee notes this change request relates to an additional funding request relating to the City of Wolverhampton Technical Centre (Bilston Campus) and is to be underwritten by Wolverhampton City Council. Any Site Investigation funding is considered revenue and is subject to standard clawback conditions, until such time as: an asset/main scheme is delivered on site, which is required to be evidenced by either a built asset, or by a fully funded approved Business Case in support of the main scheme.

### **Black Country Local Growth Deal – M6 JUNCTION 10 – Amendment to Existing Grant Agreement**

Lara Smith (supported by Simon Neilson) referred to the report previously circulated that details the M6 Junction 10 Major Scheme will deliver a new, increased-capacity circulatory carriageway at M6 J10. It will provide two new, widened bridges over the motorway, enlarging the circulatory carriageway to address congestion and accommodate future traffic growth. The request is for the re-profile of the funding.

Decision 20/0033

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

Following consideration of the confidential information in the Private Session of the agenda:

2.1 That the Joint Committee approves the changes to the project grant profile.

2.2 Note the progress update for the M6 Junction 10 project and that this change request relates to the spend profile.

### **Black Country Enterprise Zone – BOXPOOL – Grant Agreement Approval**

Lara Smith (supported by Simon Neilson) referred to the report previously circulated that details the Box Pool site in Darlaston (Walsall) forms part of the Black Country Enterprise Zone and is owned by Darlaston Builders Merchants. The project relates to the development

of the site in order to create a builder's merchants depot and headquarters for Darlaston Builders Merchants, who are the applicant for funding assistance, owners of the site and promoters of the project. The proposed development is understood to relate to delivery of a portal framed unit with part cavity brick/block (internally painted) and part double skin insulated metal sheet elevation walls, under an insulated double skin metal sheet pitched roof, incorporating translucent roof lights.

Decision 20/0034

Councillor Bird moved the recommendations which were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was:  
Resolved (unanimously)

Following consideration of the confidential information in the Private Session of the agenda:

2.1 That the Joint Committee approves Walsall Council (being the Local Authority area in which the applicant falls geographically) to proceed to a Grant Agreement with Darlaston Builders Merchants to deliver the Black Country Enterprise Zone (BC EZ) funded elements of the Boxpool project – with delivery to commence in the 2020/21 financial year.

2.2 Approve that future business rates generated from Boxpool can be utilised by Walsall Council to recover their borrowing costs (capital payments plus interest) associated with funding in line with the financial model.