

**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**

**Wednesday 29 July 2020, 9.30am**

**held via a Teams Virtual Meeting**

**DRAFT MINUTES**

**VOTING MEMBERS**

Councillor Patrick Harley, Dudley MBC  
Councillor Maria Crompton, Sandwell MBC (sub)  
Councillor Mike Bird, Walsall MBC (Chair)  
Councillor Ian Brookfield, City of Wolverhampton

**NON VOTING MEMBERS**

Tom Westley, Black Country LEP

**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

**INVITED GUESTS**

Paul Mountford, Dudley MBC  
Dr Alison Knight, Sandwell MBC  
Simon Neilson, Walsall MBC  
Richard Lawrence, Wolverhampton CC  
Lara Smith, Black Country Consortium Ltd

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Councillor Bird welcomed everyone to the virtual meeting which was 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 applied and should the meeting become inquorate (less than 3) due to technological issues, then the meeting would be adjourned for a defined period to allow for reconnection.

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

1. **Apologies**  
None.

2. **Notes of Meeting held on 24 June 2020**

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:

20/0035 **Resolved** (unanimously)  
that the notes of the meeting held on 24 June 2020 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):**

20/0036

**It was resolved:**

The public be excluded from the private session during consideration of items 25 and 26.

***Not for publication by virtue of paragraph 3 of Schedule 12(A) of the Local Government Act 1972 (as amended)***

6. **Black Country Local Growth Deal – BLACK COUNTRY LIVING MUSEUM : FORGING AHEAD – Amendment to Existing Grant Agreement**

Lara Smith (supported by Paul Mountford) referred to the report previously circulated and explained since BCJC approval, the project commenced later than had been forecast due to a delay in receiving permission by the National Lottery Heritage Fund and initially being unsuccessful to award the contract. 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.

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

20/0037

**Resolved (unanimously):**

That the Joint Committee approves the **changes to the project grant profile for the Black Country Living Museum** to deliver the Local Growth Fund (LGF) funded elements of the Black Country Living Museum: Forging Ahead Project with delivery to continue in the 2020/21 financial year.

7. **Black Country Local Growth Deal - GROWING PRIORITY SECTORS PROGRAMME- Amendment to Existing Grant Agreement**

Lara Smith referred to the report previously circulated and explained that the amendment to the grant agreement was requested to capture the project's final expenditure and original output for commercial floorspace constructed from 13,041sqm to 5796sqm target.

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

20/0038

**Resolved** (unanimously):

That the Joint Committee approves the Accountable Body for the Growth Deal (Walsall Council) to **proceed to amending the Grant Agreement with Sandwell Council** to deliver the Local Growth Fund (LGF) funded elements of the Growing Priority Sectors programme.

8. Black Country Local Growth Deal - **HALESOWEN COLLEGE – BUSINESS AND CONSTRUCTION MANAGEMENT CENTRE** - Amendment to Existing Grant Agreement

Lara Smith presented the report supported by Paul Mountford. She explained that the BCJC was asked to agree to re-profile the in-year grant allocation (as described at 3.1 of the report) due to the impact of COVID 19 lockdown on construction and delays in furniture delivery.

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

20/0039

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for Halesowen College Corporation** to deliver the Local Growth Fund (LGF) funded elements of the Halesowen College – Business and Construction Management Centre Project delivery to continue in the 2020/21 financial year.

9. Black Country Local Growth Deal – **HATHERTON STREET PHASE 2** - Amendment to Existing Grant Agreement

Lara Smith presented the report (supported by Simon Neilson). She said that the project had reported a delay in completion due to the impact of COVID-19 and the BCJC was asked to agree the re-profile of grant allocation as outlined at 3.1 of the report.

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

20/0040

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for the Jessup Brothers Ltd** to deliver the Local Growth Fund (LGF) funded elements

of the Hatherton Street Phase 2 Project delivery to continue in the 2020/21 financial year.

10 Black Country Local Growth Deal – I9 (BLOCK 9) WOLVERHAMPTON - Amendment to Existing Grant Agreement

Lara Smith (supported by Richard Lawrence) referred to the report and said that due to delays in completing sewer works diversion and the impact of COVID-19, the BCJC was asked to agree the grant re-profile as outlined at paragraph 3.2 of the report.

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

20/0041

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for the ION Projects Ltd** to deliver the Local Growth Fund (LGF) funded elements of the I9 (Block 9) Wolverhampton Project with delivery to continue in the 2020/21 financial year.

11 Black Country Local Growth Deal – MILL LANE BRIDGE AND ALDRIDGE LINE AQUEDUCT GRIP 2-3 STUDY - Amendment to Existing Grant Agreement

Lara Smith presented this item supported by Simon Neilson. She explained that the project had reported a change in work packages and commissioning which had created a slippage in expenditure. The BCJC was there asked to agree to the re-profile of in-year allocation as outlined at 3.2 of the report.

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

20/0042

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for the Walsall Council** to deliver the Local Growth Fund (LGF) funded elements of the Mill Lane Bridge and Aldridge Line Aqueduct GRIP 2 – 3 Study Project with delivery to continue in the 2020/21 financial year.

12 Black Country Local Growth Deal - NARROWBOAT WAY SITE INVESTIGATION - Amendment to Existing Grant Agreement

Lara Smith presented the report supported by Paul Mountford. She explained that the site investigation had identified a number of challenges for the site which

required a further site investigation to determine the underlying issues with the site and create a suitable remediation strategy to take forward. This work was now complete and as the investigative works came within budget, there was a small underspend of the LPIF grant.

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

20/0043

**Resolved** (unanimously) that:

2.1 That the Joint Committee approves for the Accountable Body for the Black Country Land and Property Investment Fund (Walsall Council) to **proceed to amending the Grant Agreement with Blackacres Properties Ltd** to deliver the Land and Property Investment Fund (LPIF) funded elements of the Narrowboat Way Site Investigation Project.

2.2 The approval of a project underspend of £6,402.18.

13

**Black Country Local Growth Deal - NATIONAL BROWNFIELD LAND INSTITUTE SEED FUNDING Amendment to Existing Grant Agreement**

Lara Smith presented the report supported by Richard Lawrence. She requested that the BCJC approve the re-profile of the grant in-year allocation as outlined in paragraph 3.2 of the report which had resulted in a slippage of 2019-20 claimed expenditure into 2020-21 expenditure. This would assist the 2019-20 over programming.

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

20/0044

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for the University of Wolverhampton** to deliver the Local Growth Fund (LGF) funded elements of the National Brownfield Institute SEED Funding Project with delivery to commence in the 2020/21 financial year.

14

**Black Country Local Growth Deal - PHOENIX 10 PHASE 1 - Amendment to Existing Grant Agreement**

Lara Smith supported by Simon Neilson and explained that BCJC was requested to agree to re-profile the grant in-year allocation as outlined at paragraph 3.2 of the report. This re-profile was due to the contract being finalised with the contractor. It was noted that further expenditure would be incurred in 2020/21.

Councillor Bird said that it had taken many years to develop this complex project and thanked all officers involved in progressing it to this stage.

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

20/0045

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for Walsall Council** to deliver the Local Growth Fund (LGF) funded elements of the Phoenix 10 Phase 1 project with delivery to continue in the 2020/21 financial year.

15

20/0046

Black Country Local Growth Deal - **SANDWELL AQUATIC CENTRE INFRASTRUCTURE PHASE 1** - Grant Agreement approval

**This report was presented in private session and a decision was made following consideration of the confidential information.**

16

Black Country Local Growth Deal - **SPRINGFIELD CAMPUS PHASE 1 INFRASTRUCTURE AND REMEDIATION** - Amendment to Existing Grant Agreement

Lara Smith supported by Richard Lawrence presented this report. She explained that this project required a re-profile to due slippage of the 2019-20 claimed expenditure into the 2020-21 financial year as outlined in paragraph 3.2 of the report. This re-profile in turn would assist with the management of the 2019-20 Growth Deal programme.

Councillor Brookfield said that this was an excellent facility for the region and nationally. Councillor Bird agreed and said the injection of capital into the listed building was excellent news for the University.

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

20/0047

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for the University of Wolverhampton** to deliver the Local Growth Fund (LGF) funded elements of the Springfield Campus Phase 1 Infrastructure and Remediation Project delivery to continue in the 2020/21 financial year.

17 Black Country Local Growth Deal - **TRANSPORT MAJOR ROUTE NETWORK (MRN) DEVELOPMENT FUNDING** - Amendment to Existing Grant Agreement

Lara Smith presented this item supported by Richard Lawrence. She explained that to enable the project to be completed and payments made to contractors, BCJC was requested to agree slippage of funding into 2020/21 as outlined in paragraph 3.2 of the report.

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:

20/0048

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for the Wolverhampton City Council** to deliver the Local Growth Fund (LGF) funded elements of the Transport Major Route Network (MRN) Development Funding Project with delivery to continue in the 2020/21 financial year.

18 Black Country Local Growth Deal - **ULTRA LOW EMISSION VEHICLES TRANSPORT DEVELOPMENT FUNDING** - Amendment to Existing Grant Agreement

Lara Smith presented this report supported by Richard Lawrence. She said that the project had experienced delays in the execution of the grant agreement which had resulted in delays for the onset of works. This in turn will impact on the delivery timeframes of the programmed milestones. Therefore BCJC was asked to agree the re-profile the grant in year allocation as outlined at paragraph 3.2 of the report.

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:

20/0049

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for the Wolverhampton City Council** to deliver the Local Growth Fund (LGF) funded elements of the Ultra Low Emission Vehicles Transport Development Funding Project with delivery to continue in the 2020/21 financial year.

19 Black Country Local Growth Deal - **HUB TO HOME TRANSPORT INNOVATION CENTRE AND TEST TRACK PROJECT: VERY LIGHT RAIL AND AUTONOMOUS TECHNOLOGIES – TEST TRACK – PROJECT CHANGE REQUEST** - Amendment to Existing Grant Agreement

Lara Smith presented the report supported by Paul Mountford. She said that the BCJC was requested to agree the re-profile of the grant for 2019-20 into 2020-21 as outlined in paragraph 3.2 which would be in line with the project's current cashflow.

Councillor Bird said that he had recently attended a presentation on this project which and been very informative and he recognized the benefits of this new technology for the future.

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:

20/0050

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for the Dudley Council** to deliver the Local Growth Fund (LGF) funded elements of the Hub to Home Transport Innovation Centre and Test Track Project: Very Light Rail and Autonomous Technologies – Test Track project with delivery to continue in the 2020/21 financial year.

20

**Black Country Local Growth Deal - GROWING THE CITY CENTRE, CULTURAL AND BUSINESS EVENTS OFFER - Amendment to Existing Grant Agreement**

Lara Smith supported by Richard Lawrence referred to the previously circulated report. She explained that due to the delay with the opening of the Civic Hall, the BCJC was requested to agree the re-profile output achievement date and reduction in the Learner Assists output target as outlined in paragraph 3.2 of the report.

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:

20/0051

**Resolved** (unanimously):

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 Growing the City Centre Cultural and Business Events project with delivery to continue in the 2020/21 financial year.

21.

**Black Country Local Growth Deal – SCHOOL OF ARCHITECTURE AND BUILT ENVIRONMENT – Amendment to Existing Grant Agreement**



Lara Smith presented the report supported by Richard Lawrence. She explained that this project required a re-profile to due slippage of the 2019-20 claimed expenditure into the 2020-21 financial year as outlined in paragraph 3.2 of the report. This re-profile in turn would assist with the management of the 2019-20 Growth Deal programme.

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:

20/0052

**Resolved** (unanimously):

That the Joint Committee approves the **changes to the grant profile for the University of Wolverhampton** to deliver the Local Growth Fund (LGF) funded elements of the School of Architecture and Built Environment Project with delivery to commence in the 2020/21 financial year.

22.

Delegated Authority Decision - Black Country Local Growth Deal - **HATHERTON STREET PHASE 2** - Amendment to Existing Grant Agreement for Noting

Simon Neilson presented the report regarding the decision he had undertaken under Delegated Authority to grant a re-profile request for this project as outlined at paragraph 3.2 of the report.

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:

20/0053

**Resolved** (unanimously):

That the Joint Committee note that the Executive Director for Economy and Environment within Walsall Council in his role of the Chair of the Working Group has used his Delegated Authority to proceed to amending the existing Grant Agreement with **Jessup Brothers Ltd to reprofile the grant award**, to deliver the Local Growth Fund (LGF) funded elements of the **Hatherton Street Phase 2** Project - with delivery to continue in the 2020/21 financial year. Approval of this change was achieved by the BC LEP Board on 15<sup>th</sup> May 2020 (Ref No: 69/20).

23.

Delegated Authority Decision - Black Country Local Growth Deal - **WOODS LANE PHASE 2** - Amendment to Existing Grant Agreement For Noting

Simon Neilson presented the report regarding the decision he had undertaken under Delegated Authority to grant a re-profile request for this project as outlined at paragraph 3.2 of the report.

20/0054

**Resolved** (unanimously)

That the Joint Committee note that the Executive Director for Economy and Environment within Walsall Council in his role of the Chair of the Working Group has used his Delegated Authority to proceed to amending the existing Grant Agreement with **Vistry Partnerships Limited to reprofile the grant award**, to deliver the Local Growth Fund (LGF) funded elements of the **Woods Lane Phase 2** Project - with delivery to continue in the 2020/21 financial year. Approval of this change was achieved by the BC LEP Board on 15<sup>th</sup> May 2020 (Ref No: 69/20).

24. **LOCAL GROWTH DEAL PROGRAMME - APPROVAL OF THE 2019/20 YEAR END SPEND**

Sarah Middleton presented to the BCJC the expenditure and output profiles for the Growth Deal projects for 2019/20. She explained that the report details the position of all Growth Deal projects and the final year position as outlined at paragraph 3.3 together with the output targets at paragraph 3.6. Sarah Middleton added that the spend target for 2019/20 had been achieved with a final figure of £24.10m.

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:

20/0055

**Resolved** (unanimously):

That the Joint Committee **approves of the current position of the Growth Deal Projects**, reflecting all changes to the Programme (Funding and Outputs) throughout the year and to maximise the 2019/2020 Growth Deal allocation expenditure for various changes, as detailed in Attachment 1 of the report.

**PRIVATE SESSION**

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

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

25 **Notes of Previous Meeting held on 24 June 2020 – Private Session**

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

20/0056 **Resolved** (unanimously)

That the Private Session notes of the meeting held on 24 June 2020 be confirmed as a true record.

26 **Black Country Local Growth Deal – SANDWELL AQUATIC CENTRE INFRASTRUCTURE PHASE 1 – Grant Agreement Approval**

Lara Smith presented the report supported by Alison Knight. She explained that the BCJC was asked to approve a grant to assist the delivery of highways works to enable the delivery of the Sandwell Aquatic Centre. The details of each highway project is detailed at paragraph 3.3 of the report.

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:

20/0057 **Resolved** (unanimously):

That the Joint Committee approves for the Accountable Body for the Growth Deal (Walsall Council) to **proceed to a Grant Agreement with Sandwell Council for a sum detailed in the Private report** to deliver the Local Growth Fund (LGF) funded elements of the Sandwell Aquatic Centre Infrastructure Phase 1 project with delivery to commence in the 2020/21 financial year.



**REPORT OF THE SECRETARY**  
**TO**  
**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**  
**ON**  
**WEDNESDAY 30 SEPTEMBER 2020**  
**CONSTITUTION AND TIMETABLE OF MEETINGS 2020/21**

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<b>Key Decision:</b>	<b>Yes</b>
<b>Forward Plan:</b>	<b>Yes</b>

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**1. PURPOSE OF REPORT**

- 1.1 The report sets out the amendments made to the Constitution of the Black Country Executive Joint Committee.
- 1.2 The report also sets out the amendments to the Protocols
- 1.3 The report includes the Forward Plan publication dates and the timetable of meetings to be adopted for the municipal year 2020/21

**2. RECOMMENDATIONS**

The Black Country Executive Joint Committee is requested to:

- 2.1 Note the Black Country Executive Joint Committee Constitution (**Appendix A**) has now been updated (highlighted in yellow) to reflect the changes agreed at its meeting on 12 February 2020 and 24 June 2020 regarding:
  - i. widening of the scope of the Black Country Executive Joint Committee In particular with regard to making decisions in relation to the approval of all Black Country Local Enterprise Partnership funding applications, together with submissions for all external funding on behalf of the Black Country Local Enterprise Partnership and Collaboration Agreement partners.
  - ii. that the Head of the Programme Management Office at the Black Country Consortium Ltd will author and present all of the reports regarding funding at meetings of the Black Country Executive Joint Committee supported by the relevant Head of Regeneration/Senior Responsible Officer from the Local Authority.
  - iii. that information on the Benefit Cost Ratio (Value for Money) will be included in all future funding reports to the Black Country Executive Joint Committee.
  - iv. that the report Consultation process is undertaken by the Senior Responsible Officer (SRO) / Sponsoring Senior Responsible Officer (SSRO).
  - v. the Chair of the Heads of Regeneration Working Group job title has changed to Executive Director for Economy, Environment and Communities and the delegation referred to in

the Constitution has been updated and also now includes authority to Approve an immaterial change.

- 2.2 Note the Protocols have now been updated and include updated templates for Reports and Consultation Sheets. (**Appendix B**).
- 2.3 Approve the Forward Plan publication dates for 2020/21 as set out in **Appendix C** of the report.
- 2.4 Approve the Timetable of meetings for 2020/21 as set out in **Appendix D** of the report.
- 2.5 Note that due to Government Regulations the AGM has been postponed until after the Local Elections take place in 2021 and therefore the current Chair, Cllr Mike Bird and Vice-Chair, Cllr Ian Brookfield remain until the AGM is convened.
- 2.6 Approve that the Black Country Executive Joint Committee meeting should continue to meet virtually until such time that it is considered that physical meetings can convene safely in line with Government guidance or that existing Regulations cease to apply.
- 2.7 Approve deleting from YouTube the Live Stream recordings of the meetings after a 6 month period.

### **3.0 REPORT DETAIL**

#### **Constitution and Protocols**

- 3.1 Full details of the requested changes to the Constitution were reported to the Black Country Executive Joint Committee on 12 February and 24 June 2020 and subsequently approved.
- 3.2 The Constitution and the Protocols have now been updated to reflect these changes which have all been highlighted in yellow on the attached documents to ensure the smooth running of the BCJC. (Appendix A)

#### **Forward Plan publication dates for 2020/21**

- 3.3 The draft timetable for publication of the Forward Plan is recommended for approval and attached as Appendix C. This is in line with the Access to Information rules.

#### **Timetable of Meetings 2020/21**

- 3.4 The draft timetable of meetings is recommended for approval and attached as Appendix D. Leaders and Chief Executives offices have been consulted in its preparation.
- 3.5 All future meetings are recommended as virtual meetings utilising the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (in operation from 4<sup>th</sup> April, 2020 to 7 May 2021). This introduced provisions to enable local authorities to hold meetings remotely including (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming. In addition, existing legislative provisions were modified to remove the requirement for local authorities to hold annual

meetings, and to enable requirements for the public and press access to local authority meetings and associated documents through remote means and website access.

- 3.7 Following agreement by email of the 4 Black Country Council Leaders and the Black Country LEP Chairperson on 6 May 2020, and then a discussion at a Special Association of Black Country Authorities meeting, a Special Black Country Executive Joint Committee meeting was held virtually on 20 May 2020. This meeting was very successful and Members agreed that future published meetings would be held virtually and hosted by Walsall Council as Secretariat. Meetings have taken place in private and public session.
- 3.8 All meetings held in public session have been streamed onto YouTube. Agendas, reports, decision notices and minutes are all available on Walsall Council's website via the link to the Black Country Executive Joint Committee pages. Each Local Authority and the Black Country LEP Board has a link on their own web pages to ensure that public access requirements are met. There is also a backup YouTube link although this has not been required to date.
- 3.9 Consideration has been given as to how long recordings should remain on YouTube following a virtual meeting. The industry standard in terms of retention online for the public to view is 6 months. There are further options for Walsall Council to then retain them as MP4 files which would be kept internally. It is proposed that further retention of the recordings is not required as the Minutes of each meeting are currently retained indefinitely.

#### **4. FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

#### **5. LEGAL IMPLICATIONS**

There are no legal implications associated with this report.

#### **6. RISK MANAGEMENT**

There are no Risk implications associated with this report.

#### **7. EQUALITY IMPLICATIONS**

There are no Equality implications associated with this report.

#### **8. CONSULTATION**

The BCJC Working Group and Advisory Board have been consulted during the preparation of this report along with the Local Authority Chief Executives through the Association of Black Country Authorities meeting.

**Back Ground papers**

- BCJC Report 12 February 2020 – Black Country Executive Joint Committee Collaboration Agreement
- BCJC Report 12 February 2020 – Black Country LEP Assurance Framework
- BCJC Report 24 June 2020 – Black Country LEP Assurance Framework

**Attachments**

- Appendix A – BCJC Constitution
- Appendix B - BCJC Protocols
- Appendix C – BCJC Forward Plan Publication Dates 2020/21
- Appendix D – BCJC Timetable of Meetings 2020/21

**Contact Officer & Author**

**Dr Helen Paterson**

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## BLACK COUNTRY EXECUTIVE JOINT COMMITTEE

### CONSTITUTION

**26 March 2014**  
**(Updated September 2020)**

1. Dudley MBC, Sandwell MBC, Walsall MBC and Wolverhampton City Council established an Executive Joint Committee known as the **Black Country Executive Joint Committee (BCJC)** for the purpose of discharging the functions mentioned in **Annex A**. The **BCJC** is a joint committee of the Executive for the purposes of Part VI of the Local Government Act 1972 and Part I Chapter 2 of the Local Government Act 2000 and the provisions of thereof that are applicable to Joint Committees of the Executive shall apply to the **BCJC**.
2.
  - (i) The **BCJC** shall comprise four members, each Council being entitled to appoint one voting member who shall be a member of the Councils Cabinet making the appointment. In the event of a voting member of the **BCJC** ceasing to be a member of the Council which appointed him/her, the Council shall forthwith appoint another voting member in his/her place. Only a voting member is entitled to be elected as Chair or Vice-Chair of the **BCJC**.
  - (ii) Each Council may appoint members of its Executive as substitute for the voting members appointed under (i) above to attend meetings of the **BCJC** and its sub-committees in the absence for any reason of the voting members or observer members. The substitute voting members or observer members shall be treated in all respects if they were appointed under (i) above as the case may be. The Secretary for the Committee shall be informed prior to the commencement of the meeting of the names of the substitute members.
  - (iii) The Chairman of the Black Country Local Enterprise Partnership shall be an ex officio member of the **BCJC** on matters relating to **City Deal, Growth Deal, Combined Authority and the funds secured by the Black Country Local Enterprise Partnership**. Ex officio members may speak at meetings of the **BCJC** but not vote.



- (iv) The Head of the Programme Management Office at the Black Country Consortium Ltd will be responsible for writing reports to the BCJC from the Joint Committee Advisory Board in the format provided for at Annex B. All other reports from any subcommittee and or Council will also take the form as set out in Annex B. The Head of the Programme Management Office at the Black Country Consortium Ltd, supported by the relevant Head of Regeneration/Senior Responsible Officer from the Local Authority, will present all of the reports regarding funding at meetings of the BCJC on matters relating to City Deal, Growth Deal, Combined Authority and the funds secured by the Black Country Local Enterprise Partnership.
- (v) The BCJC shall at its Annual Meeting, elect a Chair and Vice-Chair from among its voting members or chose to adopt for that year to have a rolling Chair and Vice Chair being upon rotation. In the event of both being absent from the meeting, the Chair and Vice-Chair for whatever reason, the BCJC shall elect a Chair from amongst the voting members present for that meeting but shall not count for purposes of rotation.
- (vi) Three voting members of the BCJC shall constitute a quorum. Except as otherwise provided by statute, all questions shall be decided by a majority of the votes of the voting members present, the Chair having the casting vote in addition to his/her vote as a member of the BCJC.
- (vii) The BCJC shall meet as agreed at its AGM. However a meeting of the BCJC may be convened at any time by the Secretary in consultation with the Chair for the meeting. A meeting of the BCJC must also be convened by the Chair within 28 days of the receipt of a requisition of any two voting members of the BCJC addressed to the Secretary of the Committee. All requisitions shall be in writing and no business other than that specified in the requisition shall be transacted at such a meeting.
- (viii) The BCJC shall from time to time make such standing orders for the carrying on of the business of the BCJC as the BCJC shall deem necessary and or desirable.
- (ix) For the avoidance of doubt and subject to there being no changes to the law on this issue, where a Council is operating Executive arrangements pursuant to the Local Government Act 2000 (and any regulations made under it), it will be a matter for the Executive of the Council to appoint any voting member, or substitute member of the Committee as long as that member is a member of the appointing Councils Cabinet.

3. The **BCJC** (as could a Cabinet) can delegate authority, but the law restricts that delegation only to officers of the four Local Authorities not any other persons. **Annex C** lists delegations to officers.
4. The **BCJC** shall from time to time appoint such sub-committees and Advisory Boards to consider and deal with any of the functions of the **BCJC** as may be thought desirable.
5. The **BCJC** Secretary and such other officers as may be deemed necessary for the due conduct of the business of the **BCJC** shall be Walsall Metropolitan Borough Council.
6. Meetings of the BCJC shall be held at the date, time and place agreed at the AGM and published by the Secretary of the BCJC following the AGM unless otherwise directed by the BCJC.
7. The Secretary shall:  
  
Be responsible for collating, preparing and publishing (in accordance with Access to Information requirements) the Forward Plan, the Agenda, reports, decision notices and minutes as appropriate.
8. That the relevant Standing Orders for **BCJC** are those of Walsall Metropolitan Borough Council.

## **FUNCTIONS OF BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**

1. To receive reports from any Sub Committee of the Black Country Executive Joint Committee (BCJC) or Advisory Board of the **BCJC**.
2. At any time review and agree proposed changes to the Functions of the **BCJC**, and seek approval of the same from the four Council Executives of the Black Country authorities.
3. To agree and approve any proposed governance and or reporting structure that the **BCJC** sees fit.
4. In relation to the City Deal, Growth Deal, Combined Authority **and funds secured by the Black Country Local Enterprise Partnership:**
  - 4.1 To act as a strategic body; setting and reviewing objectives for strategic investment across the Black Country, including;
    - a. Providing a coherent single position on the major strategic City Deal, Growth Deal, Combined Authority matters **and in relation to the funds secured by the Black Country Local Enterprise Partnership;**
    - b. Agreeing allocation of spending;
    - c. Agreeing major priorities;
    - d. Consider and agree recommendations made by any Sub Committee of the or Advisory Board of the **BCJC**;
    - e. Refer recommendations received back to any Sub Committee or Advisory Board of the **BCJC** for further consideration as and when minded in the first instance to not follow recommendations at all or to materially change the substance of the decision except in the case of genuine urgency requiring a decision to be made at that time;
  - 4.2 Agreeing Lead and or **(Single)** Accountable Body status for a body or organisation;
  - 4.3 Agree, review and amend options at any time for **any Sub Committee or Advisory Board of the BCJC** governance which is fit for purpose;
  - 4.4 Influence and align government investment in order to boost economic growth;

**Annex A**  
**Terms of Reference**

- 4.5 Have regard to the duty to cooperate and **BCJC's** overall function as set out above;
- 4.6 To ensure alignment between decision making on City Deal, Growth Deal, Combined Authority and **funds secured by the Black Country Local Enterprise Partnership** and decisions on other areas of policy such as land use, transportation, economic development and wider regeneration;
- 4.7 Co-ordinate and align decision making on transport with the Black Country Local Enterprise Partnership ensuring that business views are taken on board and that Black Country Local Enterprise Partnership growth plans are reflected in strategic priorities;
- 4.8 Deciding on capital expenditure programmes and ensuring policy and programmes are delivered effectively through partners;



**REPORT OF THE JOINT COMMITTEE ADVISORY BOARD  
(OR COUNCIL)**

**TO**

**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**

**ON**

**(DAY, MONTH, YEAR)**

**(INSERT TITLE OF REPORT)**

---

<b>Key Decision:</b>	<b>Yes/No</b>
<b>Forward Plan:</b>	<b>Yes/No</b>

---

**1. PURPOSE OF REPORT**

1.1 Set out the main points of the report and details of what is being sought in summary.

**2. RECOMMENDATIONS**

2.1 Specific recommendation from the Joint Committee Advisory Board.  
with approval requested by the BCJC.

2.2 The recommendation(s) should be clear, concise and include all relevant information.  
No abbreviations or acronyms are to be used. No statements are to be used.

2.3 It is not acceptable to recommend "That the course of action set out in the report be  
approved" as this does not give sufficient clarity.

2.4 There must be a separate recommendation for each decision you wish the BCJC to  
make.

2.5 Do not set out any recommendations elsewhere in the report.

2.6 If you only have one recommendation there is no need to number it.

**3. REPORT DETAIL**

3.1 Write clearly, concisely and focus on relevant material information. Do not use  
acronyms.

3.2 All relevant and pertinent information should be included so as to enable a fully  
informed decision to be made by the BCJC.

3.3 Sufficient weight and emphasis should be made on key points.

- 3.4 Sufficient information to enable an informed decision must be contained within the report.

#### **4. BENEFIT COST RATIO (VALUE FOR MONEY)**

Benefit-cost ratios (BCRs) are utilised in capital budgeting to analyse the overall value for money of undertaking a new project. It is an indicator showing the relationship between the relative costs and benefits of a proposed project, expressed in monetary or qualitative terms. For the purposes of the Black Country Local Enterprise Partnership funding, the Economic Intelligence Unit has developed the formula, deployed by the Programme Management Office, to identify the BCR for a project requiring public sector funding. The threshold for any project that has been assessed, is 1.5 and would be considered 'good value for money' should this threshold be exceeded. The BCR calculation however does not take into consideration the Strategic fit and proposition of a project.

#### **5. FINANCIAL IMPLICATIONS**

All relevant financial implications. You must consult the appropriate Finance Officer at the outset of the project. You must give sufficient time for the appropriate Finance Officer to comment on your report. Your report will not be considered if the Finance Officer has not commented.

#### **6. LEGAL IMPLICATIONS**

You must consult the appropriate Legal Services at the outset of the project. Set out any legal obligations on and consequences for the BCJC arising from the proposals. You must give sufficient time for Legal Services to comment on your report. Your report will not be considered if Legal Services have not commented.

#### **7. RISK MANAGEMENT**

Key risks should be identified and explanations given as to how they will be managed.

#### **8. EQUALITY IMPLICATIONS**

An equality impact assessment should be done and equality implications set out in the report as well as how they will be managed.

#### **9. CONSULTATION**

- 9.1 Identify who has been consulted and why, the outcome of the consultation and if there is any planned future consultation. For example, do not use "the report is prepared in consultation with relevant Managers and Executive Directors".

- 9.2 There is an expectation that wherever possible, Ward Councillors should be consulted and involved in matters affecting their Ward.
- 9.3 Consultees mentioned in this part of the report should match with those referred to in the Forward Plan entry, if it is a key decision. Include other consultees if they have been identified since.
- 9.4 If scrutiny panels have considered this issue, provide feedback on their recommendations/views.

**Note:**

- It is the responsibility of the Senior Responsible Officer/Sponsoring Senior Responsible Officer to identify and consult with relevant officers and external parties about the proposals and the contents of the draft reports. Should any material changes be made before the report appears in final form then you must consult relevant people again. If the revised circumstances could impact on the legal and financial position, you must consult afresh with legal and finance colleagues.
- A report consultation sheet **must be completed and accompany your report at all times**. The consultation sheet template should not be amended. If any amendments are made to your report at any stage which requires the re-consultation of colleagues, this must be reflected in the form when submitted at the final stage.

**Back Ground papers**

- List any background documents that you have used or which are associated with the report being produced. (This is to satisfy the legal requirements that govern public access to local authority papers and the Freedom of Information Act.) You should not list acts of Parliament or any documents that give confidential information. Do not quote file references. Such files will be open to public scrutiny if asked.

<b>Report Author</b>	<b>Senior Responsible Officer (SRO)</b>
Lara Smith Head of Programme Management Office Black Country Consortium Ltd The Deckhouse, Waterfront West, Dudley Road, Brierley Hill, DY5 1LW Email: <a href="mailto:Lara_Smith@blackcountryconsortium.co.uk">Lara_Smith@blackcountryconsortium.co.uk</a> Telephone: 01384 471159	(insert details)

<b>Sponsoring Senior Responsible Officer (SSRO)</b>
(insert details)

**“DELETE AS APPROPRIATE”**

<b>Contact Officers</b>	
Matt Williams Interim Director of Public Realm	Mark Lavender Joint Committee Programme Manager

<p>Dudley MBC Council House, Priory Road, Dudley DY1 1HF Email: <a href="mailto:alan.lunt@dudley.gov.uk">alan.lunt@dudley.gov.uk</a> Telephone: 01384 814148</p>	<p>Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>
<p><b>Simon Neilson</b> Executive Director, Economy, Environment &amp; Communities Walsall MBC Civic Centre, Darwall Street, Walsall WS1 1TP Email: <a href="mailto:simon.neilson@walsall.gov.uk">simon.neilson@walsall.gov.uk</a> Telephone: 01922 652004</p>	<p><b>Mark Lavender</b> Joint Committee Programme Manager Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>
<p><b>Alison Knight</b> Executive Director, Neighbourhoods Sandwell MBC Sandwell Council House Freeth Street, Oldbury. B69 3DB Email: <a href="mailto:alison.knight@sandwell.gov.uk">alison.knight@sandwell.gov.uk</a> Telephone: 0121569 5040</p>	<p><b>Mark Lavender</b> Joint Committee Programme Manager Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>
<p><b>Richard Lawrence</b> Director of Regeneration City of Wolverhampton Council Civic Centre, St Peter's Square, Wolverhampton, WV1 1SH Email: <a href="mailto:richard.lawrence@wolverhampton.gov.uk">richard.lawrence@wolverhampton.gov.uk</a> Telephone: 01902 555533</p>	<p><b>Mark Lavender</b> Joint Committee Programme Manager Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>
<p><b>Sarah Middleton</b> Chief Executive Black Country Consortium Ltd The Deckhouse, Waterfront West, Dudley Road, Brierley Hill, DY5 1LW Email: <a href="mailto:sarah.middleton@blackcountryconsortium.co.uk">sarah.middleton@blackcountryconsortium.co.uk</a> Telephone: 01384 471102</p>	<p><b>Mark Lavender</b> Joint Committee Programme Manager Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>



**DELEGATION OF AUTHORITY TO**  
**THE EXECUTIVE DIRECTOR FOR ECONOMY, ENVIRONMENT & COMMUNITIES**  
**AT WALSALL COUNCIL IN HIS ROLE AS**  
**CHAIR OF THE HEADS OF REGENERATION WORKING GROUP**

Pursuant to Item 3 in the Constitution, on 17 June 2015 the Black Country Executive Joint Committee (BCJC) approved the Delegation of Authority to the **Executive Director for Economy, Environment and Communities** within Walsall Council in his role as Chair of the Heads of Regeneration Working Group to :

1. Deploy a **Change Control process to "in-flight" projects** previously approved by the Black Country Local Enterprise Partnership Board and the BCJC within a clearly stated range of Project Tolerances, allowing:

- 1.1 the approval of changes up to a maximum of 10% of individual grant value or up to £300,000 whichever is lower (all grant changes excluding year-end);
- 1.2 that changes of between 0 and 5% are to be considered as re-forecasting and do not need to be reported to the Black Country Local Enterprise Partnership Board or the BCJC until the final report on changes to the programme is presented to the BCJC in June each year;

It is however understood that :

- 1.3 the overall combined effect of the above changes must not exceed 10% of the annual approved Local Growth Fund grant value;
  - 1.4 "in-flight" Change Control decisions taken under Delegated Authority by the Chair of the Working Group must be made in consultation with the Single Accountable Body Section 151 Officer and with the Black Country Consortium Ltd Chief Executive only.
  - 1.5 the Chair of the Working Group must report the decision at the next available Black Country Executive Joint Committee meeting, which is then recorded in the minutes of that meeting (published on the BCJC website <https://go.walsall.gov.uk/bcjc-reports-minutes>).
2. Deploy a **Change Control process to projects at Year-End** for projects previously approved by the Black Country Local Enterprise Partnership Board and the BCJC within a clearly stated range of Project Tolerances, allowing:
    - 2.1 the approval of changes up to a maximum of 15% of individual grant value or up to £500,000 whichever is lower (e.g. if a project grant allocation is £2m up to £300,000 of changes can be agreed in the current financial year under delegated authority).

It is however understood that:

- 2.2 the cumulative maximum of projects approved via delegated authority being no more than 10% of the total value of the in year
  - 2.3 Year-End Change Control decisions taken under Delegated Authority by the Chair of the Working Group must be made in consultation with the Black Country Consortium Ltd Chief Executive, the Single Accountable Body Section 151 Officer, Sponsoring Heads of Regeneration Working Group member and the Chair of the BCJC.
  - 2.4 the Chair of the Working Group must report the decision at the next available Black Country Executive Joint Committee meeting, which is then recorded in the minutes of that meeting (published on the BCJC website <https://go.walsall.gov.uk/bcjc-reports-minutes>).
3. **Introduce Over Programming and approve New Small Projects** that top up the pipeline as flexibility to respond to opportunities for challenges in maximising value from the funds, ensuring:
- 3.1 the total combined value of these projects must not exceed 10% of the annual approved grant value.
  - 3.2 each individual New Small Project cannot exceed 10% of the value above which is 10% of the annual approved grant value.

It is however understood that:

- 3.3 Approval of New Small Projects taken under Delegated Authority by the Chair of the Working Group must be made in consultation with the Black Country Consortium Ltd Chief Executive, the Single Accountable Body Section 151 Officer, Sponsoring Heads of Regeneration Working Group member and the Chair of the BCJC.
  - 3.4 The Chair of the Working Group must report the decision at the next available Black Country Executive Joint Committee meeting, which is then recorded in the minutes of that meeting (published on the BCJC website <https://go.walsall.gov.uk/bcjc-reports-minutes>).
4. **Approve an immaterial change to the grantee or an administrative error within a report recommendation under delegated authority.**
- 4.1 Immaterial changes (i.e. Name Change, or name correction of the Grantee) can be approved or an administrative error (i.e. a typo or transposition to grant value of less than 5% up to and not greater than £10,000), within the recommendation of the report can be rectified under Delegated Authority
5. Delegated Authority should only be used when :

- 5.1 the existing approval process is not possible due to impact on delivery times and the need to get spend underway prior to the next available Black Country Executive Joint Committee
  - 5.2 the existing provisions of Special Urgency and General Exception within the Black Country Executive Joint Committee Protocols are not available.
6. Procedures will be implemented by the Chair of the Heads of Regeneration Working Group for the proper management of achieving the delegated authority decisions which will include, recording, control, and effective monitoring of the decisions and ensuring the appropriate financial records detailing spend against profile are established and maintained.



# **PROTOCOLS**

**For the management of the**  
**Black Country Executive Joint Committee**

**Updated September 2020**

**Protocol 1: For the management of Black Country Executive Joint Committee (BCJC) business**

1. This protocol relates to the procedure and processes to be used in determining business to be submitted to, and considered by, the BCJC in accordance with the timeline set out in **Appendix A** to this protocol and the detailed yearly timetable agreed at the BCJC Annual Meeting in June of each year.
2. The BCJC will meet in accordance with the schedule of meetings approved by the BCJC at its Annual Meeting in June of each year.
3. A meeting of the BCJC may be convened at any time by the Secretary in consultation with the Chair subject to the Access to Information Rules or General Exception and Special Urgency (Protocol 3).
4. A meeting of the BCJC must also be convened within 28 days of the Chair receiving a requisition of any two voting members addressed to the Secretary of the BCJC. All requisitions shall be in writing and no business other than that specified in the requisition shall be transacted at such a meeting.
5. The agenda for the BCJC will be prepared by Walsall MBC as the secretariat based on the current published version of the Forward Plan.
6. The Forward Plan will be prepared to cover a period of 4 months, beginning with the first day of any month. It will be prepared on a monthly basis and published in line with the dates agreed at the BCJC AGM (at least 14 days before the start of the period) by Walsall Council as Secretariat to BCJC.
7. **A Decision (Key or Non-Key)** cannot be added to the BCJC Agenda for publication unless it has been included in the Forward Plan that has been published for the forthcoming 4 month period. **All Decisions** should therefore appear on the Forward Plan for at least 28 days prior to the decision being taken. If the Decision has not been included in the Forward Plan but needs to be taken at the next available BCJC, then the General Exception Procedure (Protocol 3) must be applied and completed with at least 5 clear working days prior to publication of the agenda of the meeting for which the Decision is required. If the timescale for the General Exception Procedure has passed, then the Special Urgency Procedure (Protocol 3) should be followed.
8. Notwithstanding that an item has been included in the Forward Plan, written reports for consideration by the BCJC must have been approved by the Joint Committee Advisory Board.
9. The Protocols for the management of business for the Heads of Regeneration Working Group and the Joint Committee Advisory Board must be followed.
10. All reports to the BCJC must take the format using the report template at **Appendix B**.

11. The report Consultation Sheet (**Appendix C**) referred to in the Heads of Regeneration Working Group and Joint Committee Advisory Board should be fully completed prior to any report being presented to the Joint Committee Advisory Board otherwise the report will not be considered by the Advisory Board.
12. The report Consultation Sheet must accompany the report when submitted to the BCJC Secretariat otherwise the report will not be considered by the BCJC.
13. All reports regarding funding are to be verbally presented at the BCJC by the Head of the Programme Management Office at the Black Country Consortium Ltd supported by the Head of Regeneration/Senior Responsible Officer from the relevant Local Authority.
14. In exceptional circumstances where, following the despatch of BCJC papers it is found necessary to submit additional information to the BCJC or amend a report recommendation, the Secretariat should be notified as soon as possible. The matter can then be referred to the Private pre-BCJC meeting.
15. The pre-BCJC meeting is for the BCJC to consider any last minute issues relating to items on the published Agenda of the BCJC.
16. The Chair of the Heads of Regeneration Working Group has Delegated Authority to Deploy a Change Control process (in-year change control, year-end change control and immaterial changes) and approve New Small Projects. Details of these delegations are contained within the BCJC Constitution Annex C and the process procedures are contained within the Protocols for the management of business for the Heads of Regeneration Working Group and the Joint Committee Advisory Board.
17. Should Delegated Authority be used, the BCJC Programme Manager (Walsall) must advise the BCJC Secretariat and provide a report from the Chair of the Working Group for the next BCJC meeting. The report should provide details of the purpose for which Delegated Authority was used and the reason for which it was sought and ask the BCJC to note its contents.
18. This protocol will apply without exception to all meetings of the BCJC.

**Protocol 2 : For the notification of **decisions** for inclusion in the Black Country Executive Joint Committee (BCJC) Forward Plan**

1. The 4 Chief Executives will publish once a year a notice in at least one newspaper circulating in their area giving details of the Forward Plan and where and when it will be available.
2. The Forward Plan is published at least 14 days before the start of the period. All "**Key and Non-Key Decisions**" should appear on the published Forward Plan for at least 28 days prior to the decision being taken. The Forward Plan should include Public and Private Reports with the appropriate Exemption used.
3. The exception to (2) above will be in urgent circumstances where a matter arises that has not been included in the Forward Plan but a decision needs to be taken at the next BCJC meeting. For this process, please see Protocol 3 General Exception and Special Urgency.
4. The Forward Plan will be updated and published monthly (at least 14 days before the start of the period) by Walsall Council as the Secretariat in line with the schedule of dates agreed at the BCJC AGM.
5. The Plan will be available on Walsall Council's website and a link to this page will also be available on Dudley MBC, Sandwell MBC and City of Wolverhampton Council's websites and upon request at Walsall Council's First Stop Shop.
6. The responsibility for updating the Forward Plan will rest with Walsall Council as Secretariat. The process will be as follows:
  - a. **Black Country Heads of Regeneration and the Head of Programme Management Office at the Black Country Consortium Ltd will email items to be included in the Forward Plan to the BCJC Programme Manager (Walsall) (or nominated officer) in line with the timetable agreed (Appendix D).**
  - b. **The BCJC Programme Manager (Walsall) (or nominated officer) will update the draft BCJC Forward Plan and email this to BCJC Secretariat who is responsible for updating and publishing the Forward Plan each month in line with the timetable published.**
7. If it is decided that an item appearing on the Forward Plan should be taken in Private Session, the relevant Head of Regeneration (Director) should immediately notify the BCJC secretariat (Walsall) identifying the report on the published Forward Plan and giving the reason why it needs to be taken in Private Session.
8. The BCJC Secretariat (Walsall) will then publish an Access to Information Notice on the BCJC website to inform the public (**Appendix E**).

9. A Key Decision:

- a. A “key decision” means an executive decision, which is likely:
  - i. to result in the BCJC making a decision or a relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority’s budget for the service or function to which the decisions relates; or
  - ii. to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority.
- b. In determining the meaning of “significant” for the purpose of paragraph (i) above, savings or expenditure are significant if they exceed £100,000.



## **Protocol 3 : For when **Decisions** have not been included in the BCJC Forward Plan**

### **1. General Exception**

If a **Decision** has not been included in the Forward Plan, then the decision may still be taken at the forthcoming BCJC if the agenda and papers for the meeting have not been published in line with the required timescales and :

- (a) The decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next Forward Plan – ie you cannot wait for the decision to be included on the next published Forward Plan.
- (b) The relevant Director for Regeneration sponsoring the Decision in conjunction with the Programme Management Office (PMO), must produce a **Notice for information (Appendix F)** giving details of :
  - i. the matter to which the decision is to be made
  - ii. why it has not been included in the Forward Plan
  - iii. why it cannot wait to be included in the next Forward Plan;
- (c) This **Notice for information** must be emailed to the BCJC Secretariat (Walsall) for distribution to all (4) Chief Executives, Heads of Regeneration (Directors) **and Democratic Services Team** who will **Notify for information** the Chair of their relevant Overview and/or Scrutiny and Performance Committee/Panel, or each member of that Committee/Panel if there is no Chair, via email and advise by telephone.
- (d) Once the BCJC Secretariat has received confirmation of receipt of the **Notice for information** from the Chair of the Overview and/or Scrutiny and Performance Committee/Panel (all 4) the item will be included in the "**Decisions notified after publication**" document published on the BCJC webpage. The item will then be added to the BCJC Agenda which must be published 5 clear working days before the BCJC meeting takes place.

Where such a decision is taken collectively, it must be taken in public.

## 2. Special Urgency

If the General Exception (1) cannot be followed due to short timescales or the Agenda has been published but the decision must be taken by such a date that it is impracticable to defer, then:

- (a) The relevant Chief Executive in consultation with the Head of Regeneration (Director) sponsoring the **Decision** request must produce a **Notice for Agreement (Appendix G)** giving details of :
  - i. the matter to which the decision is to be made
  - ii. why it has not been included in the Forward Plan
  - iii. why it cannot wait to be included in the next Forward Plan;
- (b) This **Notice for Agreement** must be emailed to the BCJC Secretariat (Walsall) for distribution to all (4) Chief Executives, Heads of Regeneration (Director) **and Democratic Services Team** who will **Notify for Agreement** the Chair of their relevant Overview and/or Scrutiny and Performance Committee/Panel, or each member of that Committee/Panel if there is no Chair, via email and advise by telephone **requesting the agreement of the Chairs (all 4)** that the taking of the decision cannot be reasonably deferred.
- (c) Once emailed confirmation of the **agreement** of this Notice has been received from the Chair of the Overview and/or Scrutiny and Performance Committee/Panel (all 4) a copy must be emailed to the BCJC Secretariat (Walsall).
- (d) The BCJC Secretariat (Walsall) will ensure the **Notice for Agreement** is uploaded onto the BCJC website.
- (e) An Amended Agenda with the additional paper will then be circulated to the BCJC members and uploaded onto the BCJC website.

**It should be noted that utilising the General Exception or Special Urgency procedures still requires that the Joint Committee Advisory Board should receive the report in line with their Protocols and then recommend it for approval by the BCJC.**

**Protocol 4 : For the practical operation of call-in procedure of **Key Decisions****

1. When a decision is made by the Black Country Executive Joint Committee (BCJC) that decision will be published within two working days by the Secretariat (Walsall).
2. All Members of BCJC will receive decisions electronically via email and copies will also be placed on the website.
3. The decision notice will bear the date on which it is published and the date on which the decision (s) may be implemented on the expiry of five working days after publication.
4. For the avoidance of doubt and the practical operation of the Scrutiny process, it was agreed by the BCJC at its meeting on 26 March 2014, that each Council will continue as it currently does, with its own Scrutiny process.
5. Where an Overview and/or Scrutiny Committee/Panel chooses to call-in a **Key Decision**, it can do and report under the normal procedures of its particular Council.
6. However, in addition and for transparency, when a Call-in Notice is received and accepted, the BCJC Secretariat should be notified immediately by the Chief Executive and/or Democratic Services and supplied with a copy of the Call-in Notice that gives details of the Call-in.
7. The BCJC Secretariat will then at this point advise (for information only) BCJC members and Chief Executives and/or Democratic Services who should advise (for information only) their Overview and/or Scrutiny and Performance Committee/Panels of the Call-in.
8. If the Author of the report and/or the Head of Regeneration (Director) with responsibility for the matter called-in is from a different local authority due to the matter being a joint project affecting more than one local authority, then this authority should provide a full briefing to the hosting authority's Head of Regeneration (Director) to enable him/her to present at the Overview and/or Scrutiny Committee/Panel. **For the avoidance of doubt, Heads of Regeneration (Directors) will only present and be questioned by their own local authority Overview and/or Scrutiny and Performance Committee/Panel.**
9. The findings of the Overview and/or Scrutiny Committee/Panel should then be forwarded via email by the Chief Executive and/or Democratic Services to BCJC Secretariat as soon as they are received.
10. If the Overview and/or Scrutiny and Performance Committee/Panel (s) are in agreement with the BCJC decision then the response will be reported to the next available meeting of the BCJC. The BCJC Secretariat will then at this point advise (for information only) BCJC members and Chief Executives and/or Democratic Services who should advise (for information only) their Overview and/or Scrutiny and Performance Committee/Panels.
11. Otherwise the BCJC will receive and consider the Overview and/or Scrutiny and Performance Committee's/Panel's recommendation(s) at a special meeting to be called within a further 10 working days from receipt of all of the Overview and/or

Scrutiny and Performance Committee/Panel's recommendation(s).

12. Once the BCJC has met and reached a decision on the recommendations, the BCJC Secretariat will at this point advise (for information only) Chief Executives and/or Democratic Services who should advise (for information only) their Overview and/or Scrutiny and Performance Committee/Panels.

Note: The Call-in procedure set out above will not apply where the decision taken by the Executive is deemed urgent and in need of immediate implementation. A decision will be deemed urgent only if it can be demonstrated to the Chair of the BCJC that any delay would seriously prejudice the interest of the Councils or the public generally.

**For the management of BCJC business**

- Project Proposals for the Heads of Regeneration Working Group should be included in the BCJC Forward Plan as soon as practically possible.
- The BCJC Forward Plan will be published monthly in line with the timetable that is agreed at the BCJC AGM and will be available on the website at [https://go.walsall.gov.uk/bcjc\\_forward\\_plan\\_dates](https://go.walsall.gov.uk/bcjc_forward_plan_dates)

**REPORT OF THE JOINT COMMITTEE ADVISORY BOARD  
(OR COUNCIL)**

**TO**

**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**

**ON**

**(DAY, MONTH, YEAR)**

**(INSERT TITLE OF REPORT)**

---

**Key Decision:      Yes/No**

**Forward Plan:     Yes/No**

---

**1.    PURPOSE OF REPORT**

1.1    Set out the main points of the report and details of what is being sought in summary.

**2.    RECOMMENDATIONS**

2.1    Specific recommendation from the Joint Committee Advisory Board.  
with approval requested by the Joint Committee.

2.2    The recommendation(s) should be clear, concise and include all relevant information.  
No abbreviations or acronyms are to be used. No statements are to be used.

2.3    It is not acceptable to recommend “That the course of action set out in the report be  
approved” as this does not give sufficient clarity.

2.4    There must be a separate recommendation for each decision you wish the BCJC to  
make.

2.5    Do not set out any recommendations elsewhere in the report.

2.6    If you only have one recommendation there is no need to number it.

**3.    REPORT DETAIL**

3.1    Write clearly, concisely and focus on relevant material information. Do not use  
acronyms.

3.2    All relevant and pertinent information should be included so as to enable a fully  
informed decision to be made by the Joint Committee.

3.3    Sufficient weight and emphasis should be made on key points.

- 3.4 Sufficient information to enable an informed decision must be contained within the report.

#### **4. BENEFIT COST RATIO (VALUE FOR MONEY)**

Benefit-cost ratios (BCRs) are utilised in capital budgeting to analyse the overall value for money of undertaking a new project. It is an indicator showing the relationship between the relative costs and benefits of a proposed project, expressed in monetary or qualitative terms. For the purposes of Black Country Local Enterprise Partnership funding, the Economic Intelligence Unit has developed the formula, deployed by the Programme Management office, to identify the BCR for a project requiring public sector funding. The threshold for any project that has been assessed, is 1.5 and would be considered 'good value for money' should this threshold be exceeded. The BCR calculation however does not take into consideration the Strategic fit and proposition of a project.

#### **5. FINANCIAL IMPLICATIONS**

- 4.1 All relevant financial implications. You must consult the appropriate Finance Officer at the outset of the project. Your report will not be considered if the Finance Officer has not commented.

#### **6. LEGAL IMPLICATIONS**

- 5.1 You must consult the appropriate Legal Services at the outset of the project. Set out any legal obligations on and consequences for the BCJC arising from the proposals. You must give sufficient time for Legal Services to comment on your report. Your report will not be considered if Legal Services have not commented.

#### **7. RISK MANAGEMENT**

- 6.1 Key risk identified and explanations as to how they will be managed are to be inserted.

#### **8. EQUALITY IMPLICATIONS**

- 7.1 An equality impact assessment to be done and equality implications set out in the report as well as how they will be managed.

#### **8. CONSULTATION**

- 8.1 Identify who has been consulted and why, the outcome of the consultation and if there is any planned future consultation. For example, do not use "the report is prepared in consultation with relevant Managers and Executive Directors".

- 8.2 There is an expectation that wherever possible, Ward Councillors should be consulted and involved in matters affecting their Ward.
- 8.3 Consultees mentioned in this part of the report should match with those referred to in the Forward Plan entry, if it is a key decision. Include other consultees if they have been identified since.
- 8.4 If scrutiny panels have considered this issue, provide feedback on their recommendations/views.

**Note:**

- It is the responsibility of the Senior Responsible Officer(SRO) / Sponsoring Senior Responsible Officer(SSRO) to identify and consult with relevant officers and external parties about the proposals and the contents of the draft reports. Should any changes be made before the report appears in final form then you must consult relevant people again. If the revised circumstances could impact on the legal and financial position, you must consult afresh with legal and finance colleagues.
- A report consultation sheet is available from the Programme Manager and **must be completed and accompany your report at all times**. The consultation sheet template should not be amended. If any amendments are made to your report at any stage which requires the re-consultation of colleagues, this must be reflected in the form when submitted at the final stage.

**Back Ground papers**

- List any background documents that you have used or which are associated with the report being produced. (This is to satisfy the legal requirements that govern public access to local authority papers and the Freedom of Information Act.) You should not list acts of Parliament or any documents that give confidential information. Do not quote file references. Such files will be open to public scrutiny if asked.

Report Author	Senior Responsible Officer (SRO)
<p><b>Lara Smith</b>            Head of Programme Management Office            Black Country Consortium Ltd            The Deckhouse, Waterfront West,            Dudley Road, Brierley Hill, DY5 1LW            Email:  <a href="mailto:Lara_Smith@blackcountryconsortium.co.uk">Lara_Smith@blackcountryconsortium.co.uk</a>            Telephone: 01384 471159</p>	<p><i>(insert details)</i></p>

Sponsoring Senior Responsible Officer (SSRO)
<p><i>(insert details)</i></p>



**“DELETE AS APPROPRIATE”**

<b>Contact Officers</b>	
<p><b>Matt Williams</b> Interim Director of Public Realm Dudley MBC Council House, Priory Road, Dudley DY1 1HF Email: <a href="mailto:alan.lunt@dudley.gov.uk">alan.lunt@dudley.gov.uk</a> Telephone: 01384 814148</p>	<p><b>Mark Lavender</b> Joint Committee Programme Manager Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>
<p><b>Simon Neilson</b> Executive Director, Economy, Environment &amp; Communities Walsall MBC Civic Centre, Darwall Street, Walsall WS1 1TP Email: <a href="mailto:simon.neilson@walsall.gov.uk">simon.neilson@walsall.gov.uk</a> Telephone: 01922 652004</p>	<p><b>Mark Lavender</b> Joint Committee Programme Manager Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>
<p><b>Alison Knight</b> Executive Director, Neighbourhoods Sandwell MBC Sandwell Council House Freeth Street, Oldbury. B69 3DB Email: <a href="mailto:alison_knight@sandwell.gov.uk">alison_knight@sandwell.gov.uk</a> Telephone: 0121 569 5040</p>	<p><b>Mark Lavender</b> Joint Committee Programme Manager Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>
<p><b>Richard Lawrence</b> Director of Regeneration City of Wolverhampton Council Civic Centre, St Peter’s Square, Wolverhampton, WV1 1SH Email: <a href="mailto:richard.lawrence@wolverhampton.gov.uk">richard.lawrence@wolverhampton.gov.uk</a> Telephone: 01902 555533</p>	<p><b>Mark Lavender</b> Joint Committee Programme Manager Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>
<p><b>Sarah Middleton</b> Chief Executive Black Country Consortium Ltd The Deckhouse, Waterfront West, Dudley Road, Brierley Hill, DY5 1LW Email: <a href="mailto:sarah_middleton@blackcountryconsortium.co.uk">sarah_middleton@blackcountryconsortium.co.uk</a> Telephone: 01384 471102</p>	<p><b>Mark Lavender</b> Joint Committee Programme Manager Walsall MBC Civic Centre, Darwall Street, Walsall. WS1 1TP Email: <a href="mailto:mark.lavender@walsall.gov.uk">mark.lavender@walsall.gov.uk</a> Telephone: 01922 654772</p>

**Report Consultation Sheet  
for reports to the  
Joint Committee Advisory Board  
and the  
Black Country Executive Joint Committee**

Report title			
Name (SRO) and contact details			
Name (SSRO) and contact details			
Designation and Local Authority			
Advisory Board Meeting Date		BCJC Meeting Date	
Key Decision	YES/NO*	Included in the Forward Plan	YES/NO*

\*DELETE AS APPROPRIATE

**Consultation**

Officers	Consulted – Who (name/designation)	Date(s) consulted	Comments of Consultees
Legal			
Finance			
Other (please state)			

Comments
<p><i>Please include any further comments that support the Joint Committee report, include any explanations as to why the report is incomplete e.g. information not available until closer to the meeting, etc.</i></p> <p><i>If the report contains sensitive/confidential information, please, highlight relevant parts of the report and state the reason why this report must be considered in the private Joint Committee session (please select the category under the Description of exempt information from the list provided*).</i></p>

**Approval**

Responsible Director Name	Signature	Date
Comments		

SRO / SSRO Name	Signature	Date
Comments		

**PLEASE NOTE**

- **It is the responsibility of the SRO/SSRO to identify and consult with relevant officers and external parties about the proposals and the contents of the draft reports. Should any changes be made before the report appears in final form to the Advisory Board then you must consult relevant people again. If the revised circumstances could impact on the legal and financial position, you must consult afresh with legal and finance colleagues.**
- **The consultation sheet must make it clear that consultees have responded (putting “no comments” is misinterpreted). If you have not received comments say “not received”.**
- **This Report Consultation Sheet is available from the BCJC Programme Manager and must be completed and accompany your report at all times. The consultation sheet template should not be amended. If any amendments are made to your report at any stage which requires the re-consultation of colleagues, this must be reflected in the form when submitted at the final stage.**
- **The Report Consultation Sheet must be returned fully completed to the Programme Manager, Walsall Council with your final report.**
- **Please note that if a completed consultation sheet confirming that appropriate consultation has taken place is not received ahead of the publication of papers and prior to the Advisory Board meeting, the decision will be removed from the Joint Committee agenda.**

**\* Schedule 12A to the Local Government Act, 1972 (as amended)**  
**Access to information: Exempt information**  
**Part 1**  
**Description of exempt information: England**

*Exempt information means information falling within the following 8 categories (subject to any condition):*

**Category**

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:
  - (a) to give any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Information being disclosed during a meeting of a Scrutiny and Performance Panel when considering flood risk management functions which:
  - (a) Constitutes a trades secret;
  - (b) Its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the risk management authority);
  - (c) It was obtained by a risk management authority from any other person and its disclosure to the public by the risk management authority would constitute a breach of confidence actionable by that other person.

**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**  
**FORWARD PLAN OF DECISIONS**

**(insert the current 4 month period) (insert date of publication)**

Date first entered into the plan	Project Name	Decision to be considered (to provide adequate details for those both in and outside of the Council)	Background papers (if any) and Contact Officer	Main consultees	Date Item to be considered	Key Decision Yes/No

**Access to Information Notice**  
**Local Authorities (Executive Arrangements) Meetings**  
**and Access to Information (England) Regulation 2012**

**Black Country Executive Joint Committee (BCJC) – (insert date)**

Notice is hereby given that in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulation 2012, the undermentioned report to be considered by BCJC on (insert date) will be considered in private session for the reason stated:

(Report name)

Reason : (details)

Enquiries regarding this notice should be directed to the Black Country Executive Joint Committee Secretariat, Chief Executives Office, Walsall Council, Email : [chiefexecutive@walsall.gov.uk](mailto:chiefexecutive@walsall.gov.uk) or Telephone : 01922 652089.

**DR HELEN PATERSON**  
**Chief Executive of Walsall Council**  
**And**  
**Secretary to the Black Country Executive Joint Committee**

Date:

When completed, this Notice should be emailed to BCJC Secretariat [Chiefexecutive@walsall.gov.uk](mailto:Chiefexecutive@walsall.gov.uk) for distribution.

Dear all,

**Notice for Information (General Exception) – (Insert Project Name)**

I am writing to Black Country Chief Executives and Heads of Regeneration (Directors) to request that in accordance with the Black Country Executive Joint Committee's protocols the General Exception Protocol can be used to allow the **(Insert Project Name) Decision** to be added to the BCJC Agenda before it is published for the meeting to be held on **(Insert Meeting date)**.

This is Protocol 3 of the management of Black Country Executive Joint Committee Business **(For when Decisions have not been included in the BCJC Forward Plan)**.

This Decision:

- has not been on the Forward Plan for the required 28 days, due to **(Insert reason)**
- cannot be deferred until the next publication of the Forward Plan because **(insert reason)**.
- **Is a Key Decision (delete as appropriate)**

The Decision to be taken in relation to the above project is as follows:

- **(Insert Decision)**

This **Notice for Information** must now be forwarded by each of you to the Chair of your Overview and/or Scrutiny and Performance Committee/Panel or each member of that Committee/Panel if there is no Chair, via email and advised by telephone.

The Chair of your Overview and/or Scrutiny and Performance Committee/Panel **must then confirm via email to me that they have received the request by (insert date before the Agenda is published)**.

Once this confirmation has been received from all 4 Chairs, the Decision will be uploaded onto the BCJC Forward Plan and included on the forthcoming BCJC agenda for **(Insert date)**.

Thank you for your assistance.

Kind regards

**DR HELEN PATERSON**  
**Chief Executive of Walsall Council**  
**And**  
**Secretary to the Black Country Executive Joint Committee**  
**Chiefexecutive@walsall.gov.uk**

When completed, this Notice should be emailed to BCJC Secretariat [Chiefexecutive@walsall.gov.uk](mailto:Chiefexecutive@walsall.gov.uk) for distribution

Dear all,

**Notice for Agreement (Special Urgency) – (Insert Project Name)**

I am writing to Black Country Chief Executives and Heads of Regeneration (Director) to request that in accordance with the Black Country Executive Joint Committee's protocols, the Special Urgency Protocol can be used to allow the **(Insert Project Name) Decision** to be added to the Agenda for the meeting on **(Insert Meeting date)**.

This is Protocol 3 of the management of Black Country Executive Joint Committee Business **(For when Decisions have not been included in the BCJC Forward Plan)**.

This Decision:

- has not been on the Forward Plan for the required 28 days, due to **(Insert reason)**
- cannot be deferred until the next publication of the Forward Plan **because (insert reason)**.
- **Is a Key Decision (delete as appropriate)**

The Decision to be taken in relation to the above project is as follows:

- **(Insert Decision)**

This **Notice for Agreement** must now be forwarded by each of you to the Chair of your Overview and/or Scrutiny and Performance Committee/Panel or each member of that Committee/Panel if there is no Chair, via email and advised by telephone.

The Chair of your Overview and/or Scrutiny and Performance Committee/Panel **must then confirm via email to me if they agree with the request.**

Once this confirmation has been received from all 4 Chairs, the decision will be included on the forthcoming BCJC agenda for **(Insert date)**.

Please ensure you send an email confirming that your Chair of Overview and/or Scrutiny and Performance Committee/Panel has given agreement by **no later than (day before the meeting)**.

Thank you for your assistance.

Kind regards

**DR HELEN PATERSON**  
**Chief Executive of Walsall Council**  
**And**  
**Secretary to the Black Country Executive Joint Committee**  
**Chiefexecutive@walsall.gov.uk**



**FORWARD PLAN PUBLICATION DATES 2020 - 2021**

<b>COVERING PERIOD</b>	<b>PUBLICATION DATE</b>
October 2020 – January 2021	7 September 2020
November 2020 – February 2021	5 October 2020
December 2020 – March 2021	2 November 2020
January 2021 – April 2021	7 December 2020
February 2021 – May 2021	4 January 2021
March 2021 – June 2021	8 February 2021
April 2021 – July 2021	1 March 2021
May 2021 – August 2021	5 April 2021
June 2021 – September 2021	10 May 2021
July 2021 – October 2021	7 June 2021

**MEETING SCHEDULE 2020/21**

CHAIRPERSON – Cllr Mike Bird, Walsall

VICE CHAIRPERSON – Cllr Ian Brookfield, Wolverhampton

<b>MEETING</b>	<b>DATE</b>	<b>TIME</b>	<b>VENUE</b>
<b>Black Country Executive Joint Committee</b>	<b>Wed 30 September 2020</b>	<b>10:15am</b>	<b>Online Meeting</b>
<b>Black Country Executive Joint Committee</b>	<b>Wed 9 December 2020</b>	<b>9.30am</b>	<b>Online Meeting</b>
<b>Black Country Executive Joint Committee</b>	<b>Wed 17 February 2021</b>	<b>9.30am</b>	<b>Online Meeting</b>
<b>Black Country Executive Joint Committee</b>	<b>Wed 31 March 2021</b>	<b>9.30am</b>	<b>Online Meeting</b>
<b>Black Country Executive Joint Committee – Annual General Meeting</b>	<b>Wed 23 June 2021</b>	<b>9.30am</b>	<b>Online Meeting</b>
<b>Black Country Executive Joint Committee</b>	<b>Wed 28 July 2021</b>	<b>9.30am</b>	<b>Online Meeting</b>
<b>Black Country Executive Joint Committee</b>	<b>Wed 29 September 2021</b>	<b>9.30am</b>	<b>Online Meeting</b>
<b>Black Country Executive Joint Committee</b>	<b>Wed 1 December 2021</b>	<b>9.30am</b>	<b>Online Meeting</b>



**REPORT OF THE JOINT COMMITTEE ADVISORY BOARD**

**TO**

**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**

**ON**

**30 SEPTEMBER 2020**

**Get Britain Building Fund  
GET BRITAIN BUILDING PROGRAMME APPROVAL**

**Grant Agreement Approval**

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<b>Key Decision:</b>	<b>Yes</b>
<b>Forward Plan:</b>	<b>Yes</b>

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**1. PURPOSE OF REPORT**

- 1.1 To request that the Black Country Executive Joint Committee (BCJC) approves for the Accountable Body (Walsall Council) to administer all elements of the Get Britain Building Fund (GBBF) on behalf of the Black Country Local Enterprise Partnership (BC LEP).
- 1.2 This request relates to the administration of the GBBF monies for the two Black Country projects, named in this report.
- 1.3 This request was endorsed by the LEP Funding Sub Group on 5 August 2020, approved by the LEP Board on 24 August 2020 (Decision Ref. 138/20), endorsed by the Working Group on 3 September 2020 and endorsed by the Advisory Board on 14 September 2020.

**2. RECOMMENDATIONS**

Subject to confirmation from West Midlands Combined Authority that the funding has been achieved from BEIS, the Joint Committee **approves the Accountable Body (Walsall Council) to manage the Get Britain Building Fund** and all associated elements of this fund, on behalf of the Black Country Local Enterprise Partnership.

### 3. REPORT DETAIL

3.1 On the 10 June 2020, a letter from the Secretary of State for Housing, Communities and Local Government, detailing the requirement for a submission of specific projects to be considered for grant funding, from what is now known as the 'Get Britain Building Fund'. This fund is seen as one of many platforms to enable the Covid-19 recovery plan across the country and boost local economies.

3.2 The criteria for projects to be considered successfully, was very clear and defined. Projects must be deemed Value for Money (VfM) with a strong Benefit Cost Ratio (BCR), 'Shovel Ready' with planning permission approved and able to deliver within an 18-month timescale. Projects must be able to draw down awarded funds quickly and be able to start onsite by the Autumn of 2020. Detailed in the letter from the 10 of June, were two overarching objectives:

- driving up economic growth and jobs;
- supporting green recovery.

3.3 This would primarily enable:

- town and city centre modernisation through targeted infrastructure investments unleashing their longer-term economic potential;
- investment in physical connectivity to improve the functioning of the local economy;
- investment in innovation ecosystem including through improvements to research and development facilities driving up business productivity;
- improvements to human capital;
- improving digital connectivity, in order to support economic performance, particularly in more isolated areas.

3.4 The West Midlands region was awarded a sum of £66m, to be shared strategically across the West Midlands Combined Authority area (7 met area). This included projects from Coventry and Birmingham as well as the four Black Country Local Authorities. Following the submission deadline of the 17 June 2020 and a series of ranking exercises, a shortlist of projects was put forward for approval. A letter was submitted by the West Midlands Combined Authority, on behalf of the 7 met areas, requesting approval for the shortlisted projects which included two flagship Black Country schemes. The Very Light Rail Innovation centre in Dudley and the National Brownfield Institute in Wolverhampton were selected and put forward for funding approval.

3.5 The financial funding criteria is very specific in that as much funding as possible needs to be drawn down in the first year of the programme, during the current 2020-21 financial year. Both selected projects are subject to Private reports on this agenda that confirms the proposed funding profiles subject to confirmation from West Midlands Combined Authority that the funding has been achieved from BEIS. It has been confirmed for both projects that a significant amount of the funding can be claimed on the first year of the

programme. This will be monitored by both the Programme Management Office (PMO) at the Black Country Consortium Ltd (BCC Ltd) and the Single Accountable Body (SAB) for the Black Country LEP (BC LEP).

- 3.6 The full funding protocols are just to be confirmed and published but it is expected that the funding will flow through the West Midlands Combined Authority (WMCA), to all of the LEP's individual Accountable Bodies. All projects will be expected to comply with their Assurance Framework and associated processes.

#### **4. BENEFIT COST RATIO (VALUE FOR MONEY)**

- 4.1 Benefit-cost ratios (BCRs) are utilised in capital budgeting to analyse the overall value for money of undertaking a new project. It is an indicator showing the relationship between the relative costs and benefits of a proposed project, expressed in monetary or qualitative terms. For the purposes of BC LEP funding, the Economic Intelligence Unit has developed the formula, deployed by the Programme Management office, to identify the BCR for a project requiring public sector funding. The threshold for any project that has been assessed, is 1.5 and would be considered 'good value for money' should this threshold be exceeded. The BCR calculation however does not take into consideration the Strategic fit and proposition of a project – this is considered as part of the project assessment against the Black Country Strategic Economic Plan and associated frameworks.
- 4.2 BCR calculations were taken into consideration as part of the Black Country submission for the Get Britain Building Fund, and will be reported in the individual project approval reports

#### **5. FINANCIAL IMPLICATIONS**

All the costs associated with this proposal form part of the GBBF Programme and will be covered by allocations from the government with this programme.

#### **6. LEGAL IMPLICATIONS**

Grant Agreements will be drawn up by the Accountable Body (Walsall Council), and will include all conditions passed onto the LEP by the WMCA, together with all terms, conditions, performance measures and sanctions as required by the approvals/conditions received from Government or approved by the LEP Board or the Joint Committee.

#### **7. RISK MANAGEMENT**

Risk will be managed through the on-going monitoring of individual projects and their ability to deliver the required spending profiles and outcomes for the programme as

required or agreed with Government and set into place by the LEP Board and the Joint Committee.

## 8. EQUALITY IMPLICATIONS

None at the time of drafting.

## 9. CONSULTATION

Legal and finance officers at Walsall Council were consulted as part of the development of this report.

### Background papers

Copies of the following supporting documents can be provided on request:

- August 2020 FSG GBBF Report V1.0

### Attachments

None.

### Report Author

#### Lara Smith

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## REPORT OF THE JOINT COMMITTEE ADVISORY BOARD

TO

**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**

ON

**30 SEPTEMBER 2020**

**Black Country Local Growth Deal**

**HUB TO HOME TRANSPORT INNOVATIONS CENTRE AND TEST TRACK PROJECT:  
VERY LIGHT RAIL AND AUTONOMOUS TECHNOLOGIES – TEST TRACK PROJECT**

**Amendment to Existing Grant Agreement**

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**Key Decision: Yes**

**Forward Plan: Yes**

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### 1. PURPOSE OF REPORT

- 1.1 This report should be read in conjunction with the associated Private report and its recommendations.
- 1.2 To request that the Black Country Executive Joint Committee (BCJC) approves the change request for the Hub to Home Transport Innovation Centre and Test Track Project: Very Light Rail and Autonomous Technologies – Test Track (as well referred to as Very Light Rail Test Track 1) project from within the Growth Deal Programme.
- 1.3 This change request was endorsed by the LEP Funding Sub Group on the 1 July 2020 and was approved by the LEP Board on 13 July 2020 (Decision Ref. No. 118/20). The Working Group endorsed the request on 3 September 2020 and the Advisory Board endorsed on the 14 September 2020.

### 2. RECOMMENDATIONS

**Note: 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 Local Growth Deal (Walsall Council) to **proceed to amending the Grant Agreement with Dudley Council for a sum detailed in the Private report** to deliver the Local Growth Fund (LGF) funded elements of the Hub to Home Transport Innovation Centre and Test Track Project: Very Light Rail and Autonomous Technologies – Test Track project with delivery to continue in the 2020/21 financial year.

### 3. REPORT DETAIL

- 3.1 Very Light Rail (VLR) is a class of rail guided vehicles and associated track infrastructure that is significantly lighter weight than traditional 'heavy rail' or 'light rail'. Lighter vehicles require less energy to be propelled, cause less damage to the supporting track and can be supported by less substantial bridges and sub-structures. Much of the technology developed in the automotive sector can be carried across to the vehicles including body structures, propulsion, batteries, control systems and autonomous control. The technology has applications on rural branch lines as well as urban tramways. VLR technologies offer pathways to low cost rail.
- 3.2 The Very Light Rail National Innovation Centre (VLRNIC) will be a unique Centre of Excellence for the development of VLR technologies. Its aim is to catalyse technology, supply chain and market development focused on stimulating a market for VLR vehicles and associated infrastructure which will lead to the growth of a new industrial manufacturing sector in the UK with significant export prospects. VLR is a disruptive technology and there are gaps (in technology maturity as well as testing and certification) that need to be addressed. The VLRNIC will focus on closing these gaps whilst developing VLR supply chain activities and market development.
- 3.3 The VLRNIC will be located at Castle Hill in Dudley with construction due to commence later in 2020 and an official opening planned for 2021. The VLRNIC will also include test track facilities for performance testing and vehicle certification, the first track to be open for business and operated by Network Rail. A second track will be commissioned to test the Coventry Very Light Rail and funding is currently being sought for this element of the project.
- 3.4 The retaining wall, which serves the Metro extension as well as the VLR project, is now complete and the construction of Test Track 1 has begun onsite. The 15m radius loop will be a unique facility in the UK, enabling the cornering behaviour of new rail vehicles to be tested on the tightest bend that might be needed in urban rail schemes. By its design, it will allow both right-hand and left-hand cornering behaviour to be fully examined.
- 3.5 This additional funding request is seeking funding to extend the capability of Test track 1 and will increase from 2,201m to 2,901m as a result of this extension. Without the addition of a radius loop to the first test track, and in the absence of funding for the second track, testing for the Coventry VLR Prototype Vehicle would be restricted, resulting in an inevitable delay to the delivery of the Coventry Very Light Rail.
- 3.6 Should funding be approved by the BC LEP board, the project must enter a Grant Agreement with the Accountable body within 3 months of a Black Country Joint Committee approval and be able to draw down the funding before March 2021. This funding should be considered funding of last resort, as the project is rated a priority for the region and currently included on a number of 'accelerated project funding asks'. Should alternative funding be awarded to the project, a change request could be considered to reallocate part or all of the funds.



#### **4. BENEFIT COST RATIO (VALUE FOR MONEY)**

Benefit-cost ratios (BCRs) are utilised in capital budgeting to analyse the overall value for money of undertaking a new project. It is an indicator showing the relationship between the relative costs and benefits of a proposed project, expressed in monetary or qualitative terms. For the purposes of BC LEP funding, the Economic Intelligence Unit has developed the formula, deployed by the Programme Management office, to identify the BCR for a project requiring public sector funding. The threshold for any project that has been assessed, is 1.5 and would be considered 'good value for money' should this threshold be exceeded. The BCR calculation however does not take into consideration the Strategic fit and proposition of a project – this is considered as part of the project assessment against the Black Country Strategic Economic Plan and associated frameworks.

##### **BCR/Value for Money**

BCR does not change as this project has a 100% intervention rate with no local contribution and the outputs delivered, are not captured by the BC LEP's standard BCR calculation.

#### **5. FINANCIAL IMPLICATIONS**

All the costs associated with this proposal form part of the LGF Programme and will be covered by allocations from the government with this programme. This includes use of any interest accrued by the Accountable Body to cover costs associated with the delivery of Accountable Body functions, as approved by its (Walsall Council) Cabinet on 29th October 2014.

#### **6. LEGAL IMPLICATIONS**

The appropriate Grant Agreement will be varied by the Accountable Body (Walsall Council), and include all conditions passed onto the LEP by Government, together with all terms, conditions, performance measures and sanctions as required by the approvals/conditions received from Government or approved by the LEP Board or the Joint Committee.

#### **7. RISK MANAGEMENT**

Risk will be managed through the on-going monitoring of individual projects and their ability to deliver the required spending profiles and outcomes for the programme as required or agreed with Government and set into place by the LEP Board and the Joint Committee.

**8. EQUALITY IMPLICATIONS**

None at the time of drafting.

**9. CONSULTATION**

Legal and Finance Officers at Dudley Council were consulted as part of the development of this report.

**Background papers**

Copies of the following supporting documents can be provided on request:

- July 2020 FSG GD Report V1.0.
- Very Light Rail Test Track 1 Additional Funding Request.

**Attachments**

None.

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## REPORT OF THE JOINT COMMITTEE ADVISORY BOARD

TO

BLACK COUNTRY EXECUTIVE JOINT COMMITTEE

ON

30 SEPTEMBER 2020

### Black Country Local Growth Deal ADVANCED SCIENCE, ENGINEERING AND TECHNOLOGY CENTRE

#### Amendment to Existing Grant Agreement

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Key Decision:	Yes
Forward Plan:	Yes

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#### 1. PURPOSE OF REPORT

- 1.1 To request that the Black Country Executive Joint Committee (BCJC) approves the change request for the Advanced Science, Engineering and Technology Centre project from within the Growth Deal Programme.
- 1.2 This change request was endorsed by the LEP Funding Sub Group on 1 July 2020, approved by the LEP Board on 13 July 2020 (Decision Ref. No.103/20), endorsed by the Working Group on 3 September 2020 and endorsed by the Advisory Board on 14 September 2020.

#### 2. RECOMMENDATIONS

- 2.1 That the Joint Committee approves the Accountable Body for the Local Growth Deal (Walsall Council) to **proceed to amending the Grant Agreement with Halesowen College** to deliver the Local Growth Fund (LGF) funded elements of the Advanced Science, Engineering & Technology Centre project with delivery to continue in the 2020/21 financial year.
- 2.2 Notes that this change request relates to the removal of the Follow-on Investment output.

### 3. REPORT DETAIL

- 3.1 The Advanced Science, Engineering and Technology Centre project was approved in 2015 and is the creation of a centre based at the Coombs Wood Business Park, offering a variety of learning pathways. The applicant, Halesowen College provided the premises as the basis for refurbishment with assistance from the BC LEP to complete the facility. The Black Country requires significant injection of resources to upskill the local population in science, technology and engineering to advanced and higher levels to meet the needs of employers.
- 3.2 The centre provides digital excellence, which underpins all of the five transformational growth sectors identified in the LEP Structural and Investment Funds Strategy. The infrastructure, hardware and software must be high quality to enhance learning, keep pace with digital technologies and meet employer's needs and expectations. The skills required by local industries in the priority sectors is being delivered through apprenticeships, traineeships, bespoke training and through a blended learning model to ensure absolute flexibility for employers.
- 3.3 The College has drawn down all of its funding to date and has been at the 'Output monitoring stage' of the project since the facility opened. The funding awarded is detailed below:

Funding Source	2015/16	2016/17	TOTAL
LEP Funding	£1,059,000	£0	£1,059,000
Applicants own funds	£0	£2,437,766	£2,437,766
<b>Total</b>	<b>£1,059,000</b>	<b>£2,437,766</b>	<b>£3,496,766</b>

- 3.4 Following the recent Monitoring, Compliance and Audit Visit, the output of 'Follow on Investment' was discussed. It was agreed that it would be very difficult to evidence it and it should be removed from the project and the grant agreement.
- 3.5 Current contracted Outputs are tabled below:

Output	Target	Delivered to Date
Jobs Created	20	2
Businesses Assisted	155	0
Learner Assists	965	277
Apprenticeship Starts	530	312
Apprenticeships Completed	365	138
Refurbished Training floorspace (sqm)	1300	1300
<b>*Follow on investment</b>	<b>£2.87m</b>	<b>0</b>

**\*output to be removed**

- 3.6 The definition for Follow on Investment for skills projects is defined as – *For the project site, the volume of public, private or third sector investment undertaken at the site (including revenue funding, for example for training courses) over and above that for the Growth Deals project, where there is a demonstrable link with the Growth Deals project. This should not include in-kind contributions.*

- 3.7 Should this Output be removed, there would be minimal impact on overall aim of the project, as Follow on Investment is not considered a core output and is not a metric in the BCR calculation. The investment was to support learners and business primarily, through improved apprenticeship opportunities in excellent facilities. An updated BCR calculation is provided in this report to show the impact on the Value for Money aspect of the project – the BCR has dropped slightly as the baseline calculation included the original forecast of outputs, prior to contract negotiation.

#### **4. BENEFIT COST RATIO (VALUE FOR MONEY)**

Benefit-cost ratios (BCRs) are utilised in capital budgeting to analyse the overall value for money of undertaking a new project. It is an indicator showing the relationship between the relative costs and benefits of a proposed project, expressed in monetary or qualitative terms. For the purposes of BC LEP funding, the Economic Intelligence Unit has developed the formula, deployed by the Programme Management office, to identify the BCR for a project requiring public sector funding. The threshold for any project that has been assessed, is 1.5 and would be considered 'good value for money' should this threshold be exceeded. The BCR calculation however does not take into consideration the Strategic fit and proposition of a project – this is considered as part of the project assessment against the Black Country Strategic Economic Plan and associated frameworks.

##### **BCR/Value for Money**

Baseline Calculation

51.81 > 1.5

Current BCR Calculation with proposed changes agreed

31.96 > 1.5

\* a BCR above 1.5 is considered good Value for Money

#### **5. FINANCIAL IMPLICATIONS**

All the costs associated with this proposal form part of the LGF Programme and will be covered by allocations from the government with this programme. This includes use of any interest accrued by the Accountable Body to cover costs associated with the delivery of Accountable Body functions, as approved by its (Walsall Council) Cabinet on 29th October 2014.

## **6. LEGAL IMPLICATIONS**

The appropriate Grant Agreement is in place and will be utilised by the Accountable Body (Walsall Council), and include all conditions passed onto the LEP by Government, together with all terms, conditions, performance measures and sanctions as required by the approvals/conditions received from Government or approved by the LEP Board or the Joint Committee.

## **7. RISK MANAGEMENT**

Risk will be managed through the on-going monitoring of individual projects and their ability to deliver the required spending profiles and outcomes for the programme as required or agreed with Government and set into place by the LEP Board and the Joint Committee.

## **8. EQUALITY IMPLICATIONS**

None at the time of drafting.

## **9. CONSULTATION**

Legal and Finance Officers at Dudley Council were consulted as part of the development of this report.

### **Background papers**

Copies of the following supporting documents can be provided on request:

- July 2020 FSG GD Report V1.0
- Advanced Science, Engineering and Technology Centre Change Request

### **Attachments**

None.

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**REPORT OF THE JOINT COMMITTEE ADVISORY BOARD**

**TO**

**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**

**ON**

**30 SEPTEMBER 2020**

**Black Country Local Growth Deal  
WOLVERHAMPTON INTERCHANGE PROJECT - CHANGE REQUEST**

**Amendment to Existing Grant Agreement**

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**Key Decision: Yes**  
**Forward Plan: Yes**

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**1. PURPOSE OF REPORT**

- 1.1 To request that the Black Country Executive Joint Committee (BCJC) approve the change request for the Wolverhampton Interchange project from within the Growth Deal Programme.
- 1.2 This change request was endorsed by the LEP Funding Sub Group on 1 July 2020 and was approved by the LEP Board on 13 July 2020 (Decision Ref. No. 104/20). The Working Group endorsed it on 3 September 2020 and the Advisory Board endorsed it on 14 September 2020.

**2. RECOMMENDATIONS**

- 2.1 That the Joint Committee approves the Accountable Body for the Local 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 Wolverhampton Interchange Project with delivery to commence in the 2020/21 financial year.
- 2.2 Note that this change request relates to the changes in outputs.



### 3. REPORT DETAIL

3.1 Wolverhampton City Council have brought forward a proposal to reduce the contracted outputs, committed against Growth Deal funding, for the Wolverhampton Interchange Project. Since the original bid was approved by the LEP Board, a number of challenges to the programme and its costs have arisen, which is expected for a project of this scale. This has affected the ability to deliver the outputs as anticipated and agreed in 2014.

3.2 Since construction began, the project has made significant progress, which can be summarised as follows:

- i10 block completed delivering c.40,000 sq. ft of office and retail floorspace that was fully let within a couple of months of completion (12 months ahead of schedule);
- The new multi-storey car park extension was completed in 2018;
- Key land transfer agreements have been fully agreed;
- Phase 1 of the main station building has now been completed with hand-over to the SFO due in the coming weeks;
- Phase 2 demolition works are due to commence imminently;
- Tram extension enabling works are now completed along Pipers Row and Railway Drive.

3.3 In 2018, a change request was approved to reprofile outputs due to a range of budget and cost pressures impacting the programme. These challenges are summarised below:

- Increased overall cost of delivering the station considering final tendered costs being received following a complete re-tender of the scheme;
- A requirement for the project partners to acquire additional third-party sites to enable the alignment of the tram extension;
- Clarity on the assumptions made in the original grant application that by funding the transport elements of the scheme, the commercial elements would come forward without recourse to public funding. This has since been disproven and the next phase of commercial development currently onsite (i9) has been separately approved through the Growth Deal, for gap funding;
- General programme delays which meant that the timing of delivery of several of the commercial plots originally anticipated (some of which relate to land swap arrangements associated with the train station) would be pushed outside of the grant funding period;
- The lack of direct ownership of key sites anticipated to be available for delivery of commercial floorspace at the time of the original application.

## 3.4 A summary of the Interchange commercial sites and how their outputs are captured:

Site Name	Reason for inclusion/exclusion
i11	Included within the Interchange project funding outputs
i10	Included within the Interchange project funding outputs
Station site area	Included within the Interchange project funding outputs
Block 9 (i9)	Subject to separate BC LEP bid
Banana Yard	Excluded - Outside of Growth Deal timescales
Block 6/7	Excluded - Outside of control of partnership

3.5 The summary of the above is that the scope of the scheme and the ability for it to deliver the contracted outputs has changed on grounds of cost increases across the programme, the associated impacts to delivery timescales and the degree of control the project partners can exert over third party sites. Overall project delays have pushed certain sites beyond the funding window whilst other sites, despite the best endeavours of the partners to secure these sites.

3.6 Phase 1 (station west) of the new Interchange station works are now complete and open to the public. Phase 2 (station east) has experienced some delays associated with Phase 1 works (Phase 2 contingent on Phase 1 works being complete) and also a delay handover of Phase 1 from completion date with Covid-19 being cited as a large contributing factor. The new station opening was achieved on the 25 of May 2020 with Galliford Try taking occupation of the Phase 2 area on the 26 of May 2020.

3.7 The project cashflow has been revised to reflect the changes to commercial outputs (applicants own funds) and revisions to overall costs associated with the transport components of the scheme reflecting claimed cost and more accurate projections for the remainder of the programme.

Funding Source	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021+	Total
LEP Funding	7,025,158	6,474,843	3,500,000					<b>£17,000,000</b>
Applicants own funds (Public)		9,061,732	-51,318	7,000	43,314			<b>£9,060,727</b>
Other Public funds		4,166,498	55,327	6,857,595	11,167,122	33,126,600	364,620	<b>£55,737,762</b>
<b>Total</b>	<b><u>£7,025,158</u></b>	<b><u>£19,703,072</u></b>	<b><u>£3,504,009</u></b>	<b><u>£6,864,595</u></b>	<b><u>£11,210,435</u></b>	<b><u>£33,126,600</u></b>	<b><u>£364,620</u></b>	<b><u>£81,798,490</u></b>

## 3.8 Proposed changes to the Interchange Outputs

Output	Status	Target									Variance
		VERIFIED & CONFIRMED				Forecast					
		2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	Total	
Commercial Floorspace Constructed (sqm)	Per Grant Agreement	4,797	0	0	0	14,216	17,671	0	0	36,684	-
	Revised Forecast	4,797	0	0	0	534.27	300.58	0	0	5,631.85	31,052.2
Commercial Floorspace Occupied (sqm)	Per Grant Agreement	908	3,779	0	0	10,595	21,402	0	0	36,684	-30,234
	Revised Forecast	908	3,779	0	0	0	1,763	0	0	6,450	
Jobs Created	Per Grant Agreement	3	90	0	7	203	105	0	0	408	-189
	Revised Forecast	3	90	0	7	0	119	0	0	219	
Jobs Safeguarded	Per Grant Agreement	0	0	111	0	39	0	0	0	150	-39
	Revised Forecast	0	0	111	0	0	0	0	0	111	

3.9 It is proposed to retain the non-core output measures from the Agreement, as these are transport related and can be measured once the station is completed in its entirety and is fully operational:

- Station footfall;
- Average passenger boarding.

3.10 As the Growth Deal can continue to monitor outputs until March 2025, it is recommended by the PMO that these non-core Outputs are retained within the Grant Agreement and measured once the project is complete.

3.11 Taking the proposed changes into account, an updated Benefit Cost Ratio (detailed in section 4 of this paper) has been calculated. The project is deemed still good value for money as it is a transport scheme that has enabled commercial outputs and investment to be realised. As detailed in section 3 of this report, some commercial outputs have already been verified and the remaining transport outcomes will be monitored once construction is complete.

#### 4. BENEFIT COST RATIO (VALUE FOR MONEY)

Benefit-cost ratios (BCRs) are utilised in capital budgeting to analyse the overall value for money of undertaking a new project. It is an indicator showing the relationship between the relative costs and benefits of a proposed project, expressed in monetary or qualitative terms. For the purposes of BC LEP funding, the Economic Intelligence Unit has developed the formula, deployed by the Programme Management office, to identify the BCR for a project requiring public sector funding. The threshold for any project that has been assessed, is 1.5 and would be considered 'good value for money' should this threshold be exceeded. The BCR calculation however does not take into consideration the Strategic fit and proposition of a project – this is considered as part of the project assessment against the Black Country Strategic Economic Plan and associated frameworks.

**BCR/Value for Money**

Baseline Calculation  
52.49 > 1.5

New BCR following the proposed changes agreed  
1.27 < 1.5

\* A BCR above 1.5 is considered good Value for Money

\*\*As this is predominantly a Transport scheme it would be considered good practice to calculate and consider a Transport BCR for this project.

**5. FINANCIAL IMPLICATIONS**

All the costs associated with this proposal form part of the LGF Programme and will be covered by allocations from the government with this programme. This includes use of any interest accrued by the Accountable Body to cover costs associated with the delivery of Accountable Body functions, as approved by its (Walsall Council) Cabinet on 29th October 2014.

**6. LEGAL IMPLICATIONS**

The appropriate Grant Agreements are in place and will be utilised by the Accountable Body (Walsall Council), and include all conditions passed onto the LEP by Government, together with all terms, conditions, performance measures and sanctions as required by the approvals/conditions received from Government or approved by the LEP Board or the Joint Committee.

**7. RISK MANAGEMENT**

Risk will be managed through the on-going monitoring of individual projects and their ability to deliver the required spending profiles and outcomes for the programme as required or agreed with Government and set into place by the LEP Board and the Joint Committee.

**8. EQUALITY IMPLICATIONS**

None at the time of drafting.

**9. CONSULTATION**

Legal and Finance Officers at Wolverhampton City Council were consulted as part of the development of this report.

## Background papers

Copies of the following supporting documents can be provided on request:

- July 2020 FSG GD Report V1.0
- Wolverhampton Interchange Project Change Request

## Attachments

None.

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**REPORT OF THE JOINT COMMITTEE ADVISORY BOARD**

**TO**

**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**

**ON**

**30 SEPTEMBER 2020**

**Black Country Growth Hub  
GROWTH HUB ADDITIONAL FUNDING**

**Amendment to Existing Grant Agreement**

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**Key Decision: Yes**  
**Forward Plan: Yes**

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**1. PURPOSE OF REPORT**

- 1.1 To seek approval for Walsall Council to amend the Growth Hub Grant Agreement with the Black Country Consortium Ltd ("BCC") to deliver the Black Country Growth Hub Programme to include the additional award of £134,000 from the Department of Business, Energy and Industrial Strategy.
- 1.2 This project was endorsed by the LEP Funding Sub Group on the 1 July 2020, approved by the LEP Board on 13 July 2020 (Decision Ref: 101/20), endorsed by the Working Group on 3 September 2020 and endorsed by the Advisory Board on 14 September 2020.

**2. RECOMMENDATIONS**

That the Joint Committee approves the Accountable Body for the Black Country Growth Hub (Walsall Council) to **proceed to amend the existing grant agreement with the Black Country Consortium Ltd for the additional award of £134,000** from Department of Business, Energy and Industrial Strategy to fund the Black Country Growth Hub from 1 April 2020 to 31 March 2021.

### 3. REPORT DETAIL

- 3.1 The Growth Hubs were established in April 2015 by the Department of Business, Energy and Industrial Strategy (BEIS) in each Local Enterprise Partnership area, following a successful pilot in 2014. Growth Hubs are local public/private sector partnerships, which join up national and local business support, so it is easy for businesses to find the help they need.
- 3.2 The Growth Hubs were funded from the Regional Growth Fund, and then received a direct allocation from BEIS to fund the project from April 2016 to March 2018. This funding was received by Walsall Council and was managed on its behalf by the City of Wolverhampton Council.
- 3.3 Following a publication of the Industrial Strategy White Paper, further funding until March 2021 and at the same level as the previous allocation from BEIS was confirmed by Ministers in a letter to all LEP chairs in January 2020. Walsall Council will receive Grant Funding of £328,000 per annum from BEIS to operate the Black Country Growth Hub until March 2021 (BCJC 24 June 2020, Dec. No. 20/0021).
- 3.4 The Chancellor in 2020 Budget renewed commitment to fund Growth Hubs beyond 2021 and committed an additional £10million to increase Growth Hub capacity across all 38 Growth Hubs. The Black Country LEP has been granted a further £134,000 allocation for the 2020/21 financial year, additional budget breakdown listed in table 1.

Table 1. Additional Growth Hub grant for 2020/21:

<b>Eligible Expenditure</b>	<b>Additional Grant Available 2020/21</b>
Support Resource	£16,000
Business Support Projects	£90,000
Marketing	£15,000
IT & Hardware	£9,000
Meetings Costs	£3,000
Audit	£1,000
<b>Total</b>	<b>£134,000</b>

- 3.5 Annual and additional BEIS funding awarded for the BC Growth Hub totals £462,000 for 2020/21 financial year.
- 3.6 The BCC 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. In June Walsall Council were notified that subject to the terms and conditions of a formal grant offer letter The Black Country LEP will receive an allocation of £134,000.

3.7 BC Joint Committee is asked to note Growth Hub Governance changes as approved by the BC LEP Board on 22 June 2020 (Decision No. 84/20):

- BC Growth Hub reports to the Competitiveness Theme Advisory Board;
- The Strategic Growth Hub Board no longer exists/ required;
- Economic Development Group and Business Voice Advisory Group will be established, which will report directly through to the Competitiveness Theme Advisory Board; and
- Full Terms of Reference for each group are currently under development and will be agreed at a future point, which will sit under the Competitiveness Theme Advisory Board.

#### **4. BENEFIT COST RATIO (VALUE FOR MONEY)**

A Benefit-Cost Ratio (BCR) calculation is required for capital projects seeking investment. As this funding is to be allocated for business support, to support revenue related costs, a BCR calculation or Value for Money statement is not required.

#### **5. FINANCIAL IMPLICATIONS**

Arrangements for managing the Growth Hub are already in place at BCC Ltd. The BCC Ltd took on the responsibility of managing the project and funds as principal grant recipient from the City of Wolverhampton Council in 2018/2019. There are no financial implications as BCC Ltd will continue to hold the responsibility for the management of the funds.

#### **6. LEGAL IMPLICATIONS**

- 6.1 There are no further legal implications to the continuation of the project in 2020/2021 following its successful implementation in 2016/17, 2017/18, 2018/19, 2019/20.
- 6.2 The appropriate Grant Agreement will be varied, which will include all necessary conditions passed onto the LEP by Government, together with all terms, conditions, performance measures and sanctions as required by the conditions received from Government.

#### **7. RISK MANAGEMENT**

- 7.1 The principal risk is a requirement to repay the grant funding to BEIS if there is non-compliance with the requirements of its terms of funding, as set out in its letter to Walsall Council.



- 7.2 Since the 2019/20 contract, BCC have taken the responsibility of the single delivery agent role, following an approval of a new Growth Hub Delivery Plan at the Growth Hub Strategic Board which took place on 18 December 2018. This new delivery plan has been in effect since 1 April 2019 and has significantly improved the effectiveness and reach of the Black Country Growth Hub, which now employs 5 advisors, all with prior business and commercial experience.
- 7.3 During 2018-19 and 2019-20, scrutiny of the performance of partners against requirements set out in the grant funding agreements is undertaken by the Black Country Growth Hub Strategic Board. For the 2020-21 contract, the Growth Hub activity should report directly into the Competitiveness Theme Advisory Board, which will retain valued participation from business partners as well as supporting the development of the Local Industrial Strategy (LIS). The Competitiveness Theme Advisory Board meetings are chaired by a Black Country LEP Board Member and attended by senior representatives from Dudley, Sandwell, Walsall and Wolverhampton Councils, BCC, the Black Country Chamber of Commerce, and the University of Wolverhampton.
- 7.4 The Black Country Growth Hub continues to successfully meet the requirements as set out in the BEIS grant award letter and is subject to annual internal audit.

## **8. EQUALITY IMPLICATIONS**

- 8.1 The Black Country Growth Hub's mission is to provide guidance and support to all individuals seeking to start a new business; micro and SMEs looking for growth support as well as employees of any existing business, free of charge.
- 8.2 Business-facing officers operating across Black Country Growth Hub partners are from a variety of ethnic backgrounds.
- 8.3 The separate partners of the Black Country Growth Hub each have their own equality policies in place, covering officers' conduct and approach to inclusive engagement.

## **9. CONSULTATION**

Legal and finance officers at Walsall Council were consulted as part of the development of this report.

### **Background papers**

None.

### **Attachments**

None.

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**REPORT OF THE CHAIR OF THE HEADS OF REGENERATION WORKING GROUP**

**TO**

**BLACK COUNTRY EXECUTIVE JOINT COMMITTEE**

**ON**

**30 SEPTEMBER 2020**

**Delegated Authority Decision for Noting**

**Black Country Local Growth Deal**  
**NATIONAL BROWNFIELD INSTITUTE SEED FUNDING**  
**Project name change request**

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<b>Key Decision:</b>	<b>Yes</b>
<b>Forward Plan:</b>	<b>No</b>

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**1. PURPOSE OF REPORT**

- 1.1 The Executive Director for Economy, Environment and Communities (Walsall Council) has been awarded Delegated Authority under the Local Growth Deal Programme to approve an immaterial change, which was used to approve the **University of Wolverhampton National Brownfield Institute Seed Funding project name change to National Brownfield Institute Phase 1 – Development project.**
- 1.2 The Delegation to approve an immaterial change is subject to consultation with the Chief Executive of the Black Country Consortium, the Single Accountable Body Section 151 Officer, the Chair of the Black Country Executive Joint Committee, and the Sponsoring Working Group Member. This report sets out changes to a project's name, which has been approved by the Executive Director under his Delegated Authority.
- 1.3 The LEP Board approved the University of Wolverhampton project name change on 24<sup>th</sup> August 2020 (Ref No: 124/20).

## **RECOMMENDATIONS**

- 2.1 That the Joint Committee note that the Executive Director for Economy, Environment and Communities within Walsall Council in his role of the Chair of the Working Group has used his Delegated Authority to approve the Accountable Body for the Growth Deal (Walsall Council) to proceed to amending the Grant Agreement with the University of Wolverhampton, to deliver the Local Growth Deal Fund (LGF) funded elements of the National Brownfield Institute Phase 1 – Development Project with delivery to commence in the 2020/21 financial year.

## **3. REPORT DETAIL**

- 3.1 Provided below is a summary of the University of Wolverhampton Local Growth Fund project name change rationale, which was requested by the Black Country Consortium Ltd Programme Management Office, followed with the approval under Delegated Authority:
- 3.1.1 The Delegation request is to allow the University of Wolverhampton *National Brownfield Institute Seed Funding* project name to be changed to the *National Brownfield Institute Phase 1 – Development* project.
- 3.1.2 The National Brownfield Institute Seed Funding project is required to be re-titled as Phase 1, in support of the Phase 2 capital build works, to avoid delay with the overall programme of works.
- 3.1.3 Phase 2 of the wider National Brownfield Institute scheme has been put forward to be funded from within Get Britain Building Fund and is due to be considered by the Joint Committee on the 30<sup>th</sup> September 2020.
- 3.2 The Joint Committee approved on the 17<sup>th</sup> June 2015 the Delegation of Authority to the Executive Director for Economy, Environment and Communities within Walsall Council in his role as the Chair of the Working Group. The Joint Committee further agreed on the 24<sup>th</sup> June 2020 that immaterial change (i.e. Name Change, or name correction of the Grantee) or an administrative error (i.e. a typo or transposition to grant value of less than 5% up to and not greater than £10,000) within the recommendation of the report can be approved and/ or rectified under Delegated Authority. The approved Delegations of Authority to the Executive Director for Economy, Environment and Communities within Walsall Council in his role as the Chair of the Working Group are:
- 3.1.1 Deploy an in year Change Control process (all grant changes excluding year-end) to approve changes up to a maximum of 10% of individual grant value or up to £300,000 whichever is lower;
- 3.1.2 Deploy a year-end Change Control process to approve changes up to a maximum of 15% of individual grant value or up to £500,000 whichever is lower;

3.1.3 Approve an immaterial change to the grantee or an administrative error within a report recommendation;

3.1.4 Bring forward new smaller projects up to 10% of the total Delegated Authority award for a financial year.

#### **4. FINANCIAL IMPLICATIONS**

None at the time of drafting.

#### **5. LEGAL IMPLICATIONS**

The appropriate Grant Agreement will be utilised by the Accountable Body (Walsall Council), and include all conditions passed onto the LEP by Government, together with all terms, conditions, performance measures and sanctions as required by the approvals/conditions received from Government or approved by the LEP Board or the Joint Committee.

#### **6. RISK MANAGEMENT**

Risk is being managed through the on-going assessment of individual projects and their ability to deliver the required spending profiles and outcomes for the programme as required or agreed with Government and set into place by the LEP Board or the Joint Committee.

#### **7. EQUALITY IMPLICATIONS**

None at the time of drafting.

#### **8. CONSULTATION**

8.1 The LEP Board have approved the project's name change.

8.2 The Chief Executive of the Black Country Consortium, the Single Accountable Body Section 151 Officer, the Chair of the Black Country Executive Joint Committee, and the Sponsoring Working Group Member have all been consulted in line with the agreed process for use of Delegated Authority.

## **Background Papers**

- University of Wolverhampton Project Name Change Request – Request for Use of Delegated Authority;
- Delegation of Authority to the Chair of the City Deal and Growth Deal Working Group – *Joint Committee Paper 17<sup>th</sup> June 2015*;
- Changes to Delegations from the Joint Committee to the Chair of the Working Group – *Joint Committee Paper 19<sup>th</sup> April 2017*;
- Black Country LEP Assurance Framework Change Control and Delegated Authority – *Joint Committee Paper 24<sup>th</sup> June 2020*.

## **Attachments**

None.

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**REPORT OF CITY OF WOLVERHAMPTON COUNCIL****TO****BLACK COUNTRY EXECUTIVE JOINT COMMITTEE****ON****Wednesday 30<sup>th</sup> September 2020****Black Country Transport Team Governance**

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**Key Decision: No****Forward Plan: No**

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**1. PURPOSE OF REPORT**

- 1.1 To brief the Black Country Executive Joint Committee (BCJC) members of the developing governance proposals for the Black Country Transport Team. Through the development of a new Black Country Transport Team, Governance Arrangements need to be developed in order to provide transparency and scrutiny of decisions and work being undertaken.

**2. RECOMMENDATIONS**

- 2.1 That the Joint Committee note that the Black Country Director for Transport will co-ordinate the work for a new Collaboration Agreement between the four Local Authorities, to create a Black Country Transport Team hosted by City of Wolverhampton Council. Approval of the Collaboration Agreement will be sought from each of the four Local Authority Cabinets by the end of December 2020.
- 2.2 That the Joint Committee note that the Black Country Director for Transport will continue to work with key officers across the four Black Country Local Authorities on governance proposals for schemes that will be developed by the Black Country Transport Team. These Governance proposals will be reported to the Joint Committee in December for approval.
- 2.3 That the Joint Committee approves in principle, (subject to the Governance being approved by the Joint Committee in December 2020) the proposal for the Black Country Executive Joint Committee to be the decision maker on selected Transport Strategy and Policy issues alongside development of future major transport schemes.

### **3. REPORT DETAIL**

- 3.1 In 2018 The Black Country Director of Transport commissioned Arcadis to undertake a review of the Strategic Transport capabilities across the Black Country. Through this work, and detailed discussions between Regeneration Directors and Chief Executives a clear rationale and Business Case were developed demonstrating the need and benefit in establishing a new Black Country Transport Team to provide additional capacity to the four Black Country Local Authorities.
- 3.2 The new Black Country Transport Team working on behalf of the four Black Country Local Authorities and the Black Country Local Enterprise Partnership (BCLEP) will deliver benefits of at least £4.3bn from current schemes. Research generated from Arcadis in May 2018, signified that all strategic transport teams are at full capacity and over 50% of the total pipelines remains unfunded and not resourced.
- 3.3 The new Black Country Transport Team will work dynamically developing strategies and major schemes that will unlock growth and help support key agendas. Working collaboratively with key regional and national partners such as Highways England, Network Rail, Midlands Connect and Department for Transport (DfT) among others.
- 3.4 Recognising the new political landscape that has emerged over recent years with the formation of the West Midlands Combined Authority, the team will work seamlessly with Transport for West Midlands to drive forward investment in key Black Country priorities. Combined, the Black Country Transport priorities amount to £2.1bn of investment.
- 3.5 The Black Country Transport team will be hosted by the City of Wolverhampton Council. In order for this to work financially a new Collaboration Agreement is being developed to set out the legal and financial framework within which the team will operate. For clarity, the scope of the Black Country Transport team will be Strategy and Major Scheme development. Delivery of Major Schemes will remain the responsibility of Local Authorities.
- 3.6 The new Collaboration Agreement will set out how the Black Country Transport team will operate, Governance arrangements, financial recharging and how risks and liabilities will be dealt with.
- 3.7 In order to ensure there are appropriate and proportionate governance arrangements for the team, work is currently underway with the BCLEP Accountable Body to incorporate these within the Collaboration Agreement. The proposals will be presented to the December Joint Committee Meeting.
- 3.8 Note that the decisions being sought from the Joint Committee are in relation to Strategy and Major Scheme development. Funding approvals of schemes for project delivery will continue to follow the existing BCLEP Assurance Framework for LEP Funded Schemes. Decisions for funding made direct to Local Authorities will still require individual Cabinet approvals outside of this process.



#### **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications within this report. All financial implications for the Local Enterprise Partnership and Accountable Body for the new Black Country Transport team will be worked through and presented with the report to the Joint Committee in December.

#### **5. LEGAL IMPLICATIONS**

- 5.1 There are no legal implications for this report. All Legal implications for the LEP, Joint Committee and Accountable Body will be worked through and presented within the report to the Joint Committee in December.

#### **6. RISK MANAGEMENT**

- 6.1 At this stage there are no risks identified within this report. All risks for the proposed governance arrangements will be worked through and presented within the report to the Joint Committee in December.

#### **7. EQUALITY IMPLICATIONS**

- 7.1 Within this report and the development of the Governance Proposals there are no equality implications. However as part of the development of the Black Country Transport Team a full Equality Impact statement has been undertaken.

#### **8. CONSULTATION**

- 8.1 The proposals have been developed in collaboration with the four Black Country Authorities and in addition Transport for West Midlands as a key stakeholder.

#### **Black Ground papers**

- There are no background papers for this item, however the Black Country Transport Collaboration Agreement will be included with the report to the Joint Committee in December.

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