



BLACK COUNTRY EXECUTIVE JOINT COMMITTEE
Wednesday 28 April 2021 10.30am
To be held via a Teams Virtual Meeting

MINUTES (DRAFT)

VOTING MEMBERS

Councillor Patrick Harley, Dudley MBC
Councillor Maria Crompton, Sandwell MBC
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
Tim Johnson, City of Wolverhampton
Sarah Middleton, The Black Country Consortium Ltd
Lara Smith, The Black Country Consortium Ltd
Simon Neilson, Walsall MBC
Helen Martin, Dudley MBC
Richard Lawrence, City of Wolverhampton

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. Cllr Bird confirmed that the meeting was quorate and welcomed any members of the public viewing the meeting online.

1. **Apologies**

Dr Helen Paterson, Walsall Council
Stuart Everton, Black Country Director for Transport

2. 21/0018 **Notes of Meeting held on 31 March 2021**

Councillor Bird moved approval of the minutes of the meeting on 31 March 2021 which was put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was

Resolved (unanimously)

That the minutes of the meeting held on 31 March 2021 be confirmed as a true record.

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

None.

4. **Declarations of Interest**

None

5. 21/0019 **Local Government (Access to Information) Act, 1985 (as amended):**

To agree that the public be excluded from the private session.

It was resolved:

The public be excluded from the private session during consideration of Item 9.

Not for publication by virtue of paragraph 3 of Schedule 12(A) of the Local Government Act 1972 (as amended)

6. **Black Country Growth Hub - GRANT FUNDING AGREEMENT APPROVAL 2021/22**

Lara Smith referred to the report previously circulated and explained that the report was seeking approval for the core funding for the Black Country Growth Hub for the new financial year. Due to increased capacity required they have increased the funding.

21/0020 Councillor Bird moved the recommendations that were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was

Resolved (unanimously) that the Joint Committee

Approves for the Accountable Body for the Black Country Growth Hub (Walsall Council) to **proceed to a Grant Agreement, with the Black Country Consortium Ltd to the value of £462,000**, to deliver the Black Country Growth Hub Funding for 2021/22.

7. **Black Country Growth Hub - PEER NETWORKS PROGRAMME APPROVAL 2021/22**

Lara Smith referred to the report previously circulated and explained that further funding has been secured from BEIS for 2021/22 following the success of last year's programme.

21/0021 Councillor Bird moved the recommendations that were put to the vote by way of a roll-call of BCJC members. The motion was subsequently declared carried and it was

Resolved (unanimously) that the Joint Committee

Approves for the Accountable Body (Walsall Council) to **enter into a Grant Agreement with the Black Country Consortium Ltd up to the value of £210,000** to deliver the Growth Hub Peer Networks programme in 2021/22.

8. 21/0022 Black Country Enterprise Zone - **Enterprise Zone PARALLEL 9-10 (SEPPL138)**

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

PRIVATE SESSION (Public Summary)

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

9. 21/0023 Black Country Enterprise Zone - **Enterprise Zone - PARALLEL 9-10 (SEPPL138)**

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

Resolved (unanimously) Following consideration of the confidential information in the Private Session report, that the Joint Committee :

- 2.1 approves Walsall Council to enter into a grant agreement with Cayborn Limited for a grant to deliver the Parallel 9/10 project, with delivery to commence in the 2021/22 financial year.
- 2.2 approves Walsall Council to utilise business rates generated from the Black Country Enterprise Zone to repay the borrowing costs associated with this grant as follows:
 - (a) Business rates generated from the Parallel 9-10 site, and
 - (b) Business rate surpluses from the wider BCEZ to fund the Parallel 9-10 deficit.
- 2.3 approves The Parallel 9/10 project to be confirmed as the next priority project in respect of the allocation of the Black Country Enterprise Zone business rates, after Categories 1 – 6 as set out in the Black Country Executive Joint Committee Collaboration Agreement.



**REPORT OF THE SECRETARY
TO
BLACK COUNTRY EXECUTIVE JOINT COMMITTEE
ON
WEDNESDAY 23 JUNE 2021**

CONSTITUTION AND TIMETABLE OF MEETINGS 2021/22

Key Decision:	Yes
Forward Plan:	Yes

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 2021/22

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 17 February 2021 regarding the removal of the Advisory Board, with Black Country Heads of Regeneration taking responsibility for wider consultation, including briefing Cabinet Portfolio Holders.
- 2.2 Note the Protocols have now been updated to reflect the change in 2.1 (**Appendix B**).
- 2.3 Approve the Forward Plan publication dates for 2021/22 as set out in **Appendix C** of the report.
- 2.4 Approve the Schedule of meetings for 2021/22 as set out in **Appendix D** of the report.

3.0 REPORT DETAIL

- 3.1 **Constitution and Protocols.** Full details of the requested changes to the Constitution were reported to the Black Country Executive Joint Committee on 17 February 2021 and subsequently approved. The Constitution and the Protocols have now been updated to reflect these changes which have all been highlighted in yellow on the attached documents as Appendix A and B to ensure the smooth running of the BCJC.

3.2 **Forward Plan publication dates for 2021/22.** 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.

3.3 **Schedule of Meetings 2021/22.** The draft schedule of meetings is recommended for approval and attached as Appendix D.

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

Information has been shared through previous approval reports to the Black Country Executive Joint Committee and with the Local Authority Chief Executives through the Association of Black Country Authorities meeting.

Back Ground papers

- BCJC Report 17 February 2021 – review of the Black Country Executive Joint Committee Governance

Attachments

- Appendix A – BCJC Constitution
- Appendix B - BCJC Protocols
- Appendix C – BCJC Forward Plan Publication Dates 2021/22
- Appendix D – BCJC Timetable of Meetings 2021/22

Contact Officer & Author

Dr Helen Paterson

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BLACK COUNTRY EXECUTIVE JOINT COMMITTEE

CONSTITUTION

26 March 2014
(Updated June 2021)

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 **Heads of Regeneration Working Group** 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 the **Heads of Regeneration Working Group** and 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 the **Heads of Regeneration Working Group** and any Sub Committee or Advisory Board of the BCJC;
 - e. Refer recommendations received back from **the Heads of Regeneration Working Group** and 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;



Annex A Terms of Reference

- 4.4 Influence and align government investment in order to boost economic growth;
- 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 HEADS OF REGENERATION WORKING GROUP

(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 **Heads of Regeneration Working Group** 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.

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Sponsoring Senior Responsible Officer (SSRO)
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“DELETE AS APPROPRIATE”

Contact Officers	
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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 :



Annex C Delegations

- 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 June 2021

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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 endorsed by the Heads of Regeneration Working Group.**
9. **The Protocols for the management of business for the Heads of Regeneration Working Group 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**) should be fully completed prior to any report being presented to the Heads of Regeneration Working Group.
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.
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 BCJC Secretariat 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 Heads of Regeneration Working Group 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

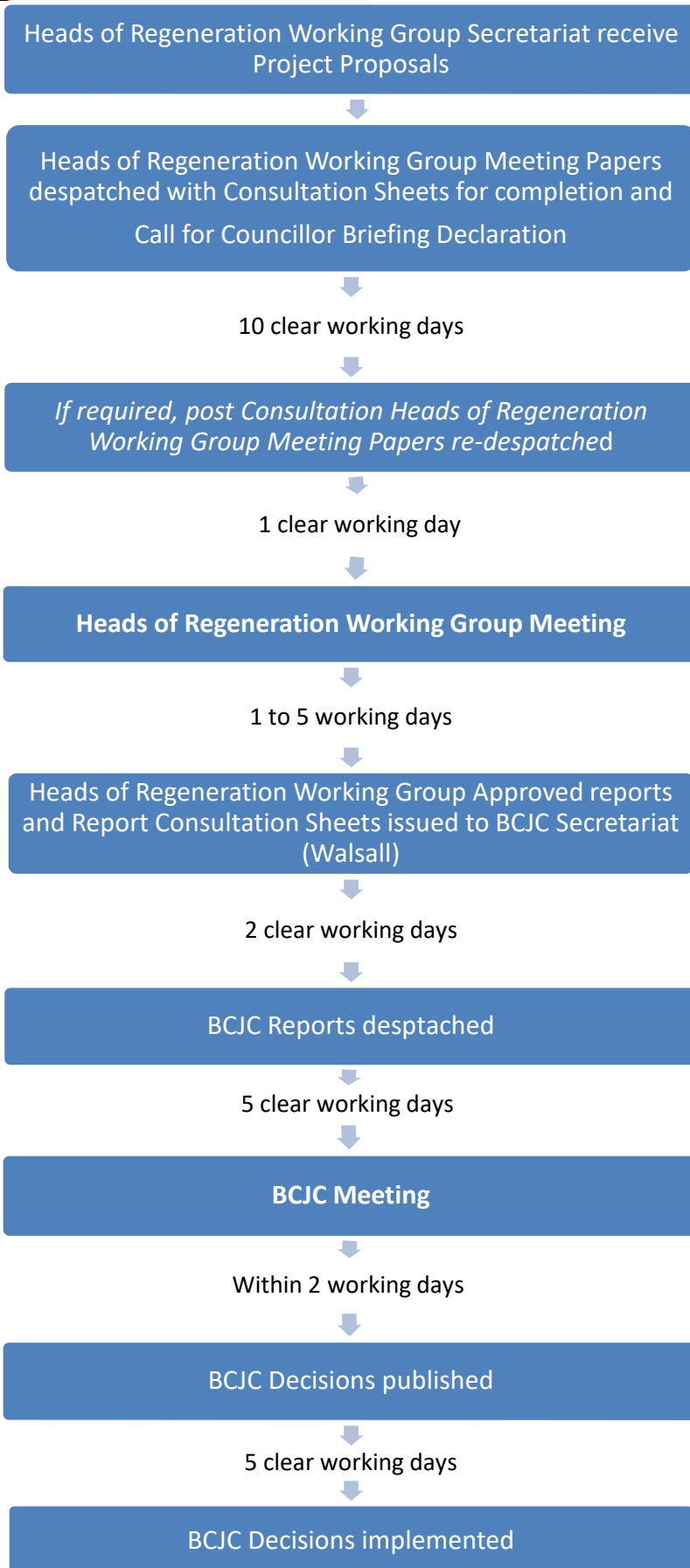
1. When a decision is made by the Black Country Executive Joint Committee (BCJC) that decision will be published within two working days by the Secretariat (Walsall).
2. All Members of BCJC will receive decisions electronically via email and copies will also be placed on the website.
3. The decision 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 clear 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

REPORT OF THE HEADS OF REGENERATION WORKING GROUP

(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 Heads of Regeneration Working Group 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

- 5.1 All relevant financial implications.
- 5.2 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

- 6.1 You must consult the appropriate Legal Services at the outset of the project.
- 6.2 Set out any legal obligations on and consequences for the BCJC arising from the proposals.
- 6.3 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

- 7.1 Key risks must be identified and explanations as to how they will be managed are to be inserted.

8. EQUALITY IMPLICATIONS

- 8.1 An equality impact assessment must 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(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

Lara Smith

Head of Programme Management Office

Black Country Consortium Ltd

The Deckhouse, Waterfront West,

Dudley Road, Brierley Hill, DY5 1LW

Email:

Lara_Smith@blackcountryconsortium.co.uk

Telephone: 01384 471159

Senior Responsible Officer (SRO)

(insert details)

Sponsoring Senior Responsible Officer (SSRO)

(insert details)

“DELETE AS APPROPRIATE”

Contact Officers

Helen Martin

Director of Regeneration and Enterprise
Dudley MBC
4, Ednam Road, Priory Road, Dudley
DY1 1HL
Email: helen.martin@dudley.gov.uk
Telephone: 01384 814004

Simon Neilson

Executive Director, Economy, Environment &
Communities
Walsall MBC
Civic Centre, Darwall Street, Walsall
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Tammy Stokes

Interim Director of Regeneration & Growth
Sandwell MBC
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Telephone: 0121 569 2200

Richard Lawrence

Director of Regeneration
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Telephone: 01902 555533

Sarah Middleton

Chief Executive
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sarah.middleton@blackcountryconsortium.co.uk
Telephone: 01384 471102

Mark Lavender

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Report Consultation Sheet
for reports to the
Heads of Regeneration Working Group
and the
Black Country Executive Joint Committee

Report title			
Author Name and contact details			
SRO Name and contact details			
SSRO Name and contact details			
Responsible Director Name			
Designation and Local Authority			
HoR Working Grp 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

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.

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*).

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 Heads of Regeneration Working Group 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 (jcst@walsall.gov.uk) with your final report. Any material consultation responses or issues will be reported at the Heads of Regeneration meeting if not incorporated into the 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 Heads of Regeneration Working Group, 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 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 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 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 2021 - 2022

COVERING PERIOD	PUBLICATION DATE
August 2021 – November 2021	5 July 2021
September 2021 – December 2021	2 August 2021
October 2021 – January 2022	6 September 2021
November 2021 – February 2022	4 October 2021
December 2021 – March 2022	1 November 2021
January 2022 – April 2022	6 December 2021
February 2022 – May 2022	10 January 2022
March 2022 – June 2022	7 February 2022
April 2022 – July 2022	7 March 2022
May 2022 – August 2022	4 April 2022
June 2022 – September 2022	9 May 2022
July 2022 – October 2022	6 June 2022
August 2022 – November 2022	4 July 2022
September 2022 – December 2022	1 August 2022

MEETING SCHEDULE 2021/22

CHAIRPERSON –

VICE CHAIRPERSON –

DATE	TIME	VENUE (Subject to Change)
Wed 28 July 2021	10:15am Private Pre-Meet 10:30am Public	Sandwell Council and via Teams digital platform
Wed 25 August 2021	10:15am Private Pre-Meet 10:30am Public	Walsall Council and via Teams digital platform
Wed 29 September 2021	10:15am Private Pre-Meet 10:30am Public	City of Wolverhampton and via Teams digital platform
Wed 3 November 2021	10:15am Private Pre-Meet 10:30am Public	Walsall Council and via Teams digital platform
Wed 1 December 2021	10:15am Private Pre-Meet 10:30am Public	Dudley Council and via Teams digital platform
Wed 9 February 2022	10:15am Private Pre-Meet 10:30am Public	Walsall Council and via Teams digital platform
Wed 30 March 2022	10:15am Private Pre-Meet 10:30am Public	Sandwell Council and via Teams digital platform
Wed 27 April 2022	10:15am Private Pre-Meet 10:30am Public	Walsall Council and via Teams digital platform
Wed 29 June 2022	10:15am Private Pre-Meet 10:30am Public	City of Wolverhampton and via Teams digital platform
Wed 27 July 2022	10:15am Private Pre-Meet 10:30am Public	Dudley Council and via Teams digital platform



**REPORT OF THE HEADS OF REGENERATION WORKING GROUP
TO
BLACK COUNTRY EXECUTIVE JOINT COMMITTEE
ON
23 JUNE 2021**

**BLACK COUNTRY LEP ASSURANCE FRAMEWORK
REVISION 2021 APPROVAL**

Key Decision:	Yes
Forward Plan:	Yes

1. PURPOSE OF REPORT

- 1.1 To request that the Black Country Executive Joint Committee approves the revisions made to the Black Country LEP Assurance Framework and the related appendices to the document.
- 1.2 The revisions are as a result of the amended Black Country Executive Joint Committee Governance arrangements, and the programme of continuous improvement to further simplify the BC LEP governance and transparency above and beyond published Government standards.
- 1.3 This request was recommended for approval by the LEP Board on the 22 of March 2021 and endorsed by the Working Group on 08 April 2021.

2. RECOMMENDATIONS

That the Black Country Executive Joint Committee **approves the revised Black Country LEP Assurance Framework**, included as an interactive Attachment 1 to this report.

3. REPORT DETAIL

- 3.1. The Programme Management Office (PMO) and the Single Accountable Body (SAB) administers all public sector funding awarded to the Black Country LEP (BC LEP) in accordance with its Assurance Framework, which has to be compliant and in line with the Government's National Assurance Framework.
- 3.2. The PMO and the SAB review the Assurance Framework, on an annual basis, and ensure any amendments or requests for changes are captured and approved by the Black Country Joint Committee (BCJC).

3.3. The removal of the Joint Committee Advisory Board, with Black Country Heads of Regeneration taking responsibility for wider consultation, including briefing Cabinet Portfolio Holders, was approved by BCJC in February 2021 and the Assurance Framework has now been updated to reflect these BCJC governance changes.

3.4. The Funding Applications Sub-Group Terms of Reference (Appendix 7) has been amended to reflect changes in membership, in section 2. Membership;

“b) A co-opted appointee, from a construction industry professional background with expert knowledge on construction costs and contracts, who will provide the Board with professional advice and insight on applications.”

3.5. Walsall Council in their role as SAB for the BC LEP have made some enhancements to the BC Enterprise Zone Governance Principles. These were approved by BCJC in December 2020 and are contained within the Appendix 12 (BCJC Collaboration Agreement).

3.6. The following BC LEP Assurance Framework sections have been updated to reflect the changes to the current LEP subgroups:

- Section 1.3.4 Theme Advisory Groups and BC LEP Board Sub – Groups;
- Section 1.3.6 Other Project Steering Groups and Informal or Time-Limited Working Groups;
- Section 2.1 LEP Governance Overview.

The flowcharts in the Section 4.13 Project Lifecycle have been replaced by a step-by-step guidance to enhance clarity and provide further detail. PMO Risk Management has been removed from Section 4.15 and is now contained in the Appendix 30. Roles and Responsibilities of West Midlands Combined Authority and 3 LEPs has been removed from the Section 1 and is now contained in the Appendix 29.

3.7. The following Appendices of the Assurance Framework have been:

3.7.1 Removed, as they were no longer applicable (removal of Joint Committee Advisory Board) or no longer a requirement in line with the National Growth Assurance Framework:

- The Black Country Joint Committee Advisory Board Constitution (previously as appendix 11);
- The Black Country Performance Management Framework (previously as appendix 21);
- The BC LEP’s Marketing Strategy (previously as appendix 30);
- The BC LEP’s themed Communication Plans (previously as appendix 32);

The following appendices were removed due to duplication of information as follows:

- The Cross-LEP statement on Transport (previously as appendix 14, now to be contained within appendix 20);
- BCC Ltd Audit Committee Terms of Reference (previously as appendix 34) now to be contained within appendix 24;

- Scheme of Delegations (previously as appendix 35) now to be contained within appendix 23;
- Managing Conflicts of Interest (previously as appendix 36) now to be contained within appendix 13 and 14;

3.7.2 Amended:

- BCC Ltd's Articles of Association and Memorandum of Association (previously as appendix 28 and 29) now to be contained in one appendix 26;
- Templates for the Initial Project Proposal and Full Business Case (previously as one appendix 20) now split in two - Appendix 17: The Black Country Local Enterprise Partnership Initial proposal template and Appendix 18: The Black Country Local Enterprise Partnership Full Business Case template.

3.7.3 All Appendices are updated with version control.

3.7.4 Note that Black Country Strategic Transport Guidance Notes (Appendix 20) is still undergoing review and will be brought back through the BCJC Governance process for approval.

4. FINANCIAL IMPLICATIONS

There are no costs associated with this report. The staff resources utilised to update the Assurance Framework are met from existing, approved BC LEP budgets.

5. LEGAL IMPLICATIONS

Walsall Council in its role as Single Accountable Body for the Black Country LEP and secretariat for the Joint Committee will incorporate any necessary changes into future grant agreements. All grant agreements are subject to due diligence and are in consultation with the appropriate legal and financial services.

6. RISK MANAGEMENT

The main changes to the Assurance Framework, and risk associated with them, are set out below:

- 6.1. **Removal of Joint Committee Advisory Board:** There could be a risk that removal of this board could result in Local Authorities Cabinet Portfolio Holders do not having sufficient oversight of the project and programmes funding recommendations. This risk is mitigated by delegating the responsibility to brief Cabinet Portfolio Holders on all reports to the Heads of Regeneration Working Group members (Executive Directors).

- 6.2. **Project Lifecycle replaced by a step-by-step guidance:** There is a risk that decision-making and project lifecycle processes are not understood by users of the Assurance Framework. The changes made reduce this risk as the step by step process provides more clarity and detail around processes. The PMO and the SAB will continue to review the Assurance Framework on an annual basis to ensure continuous improvement.

7. EQUALITY IMPLICATIONS

None at the time of drafting.

8. CONSULTATION

Legal and Finance Officers at Walsall Council have been consulted as part of the development of this report.

Background papers

None.

Attachments

BC LEP Assurance Framework together with Appendices 1 to 30 can be accessed via link – : <https://www.blackcountrylep.co.uk/transparency/assurance-framework/>

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**REPORT OF THE HEADS OF REGENERATION WORKING GROUP
TO
BLACK COUNTRY EXECUTIVE JOINT COMMITTEE
ON
23 JUNE 2021**

Black Country Local Growth Deal

**IT DIGITAL SKILLS AND INNOVATION (SEPP34)
Amendment to Existing Grant Agreement - Change Request**

Key Decision:	Yes
Forward Plan:	Yes

1. PURPOSE OF REPORT

- 1.1 To request that the Black Country Executive Joint Committee approves the IT Digital Skills and Innovation project Change Request to amend the contracted outputs from within the Growth Deal Programme.
- 1.2 This change request was endorsed by the LEP Funding Sub Group on the 4 of March 2021, approved by the LEP Board on the 19 of April 2021, and endorsed by Working Group on 20 May 2021.

2. RECOMMENDATIONS

That the Black Country Executive Joint Committee approve the Accountable Body for the Growth Deal (Walsall Council) to proceed to **amend the Grant Agreement with PTP Ltd to continue to deliver the Local Growth Fund (LGF) funded elements of the IT Digital Skills and Innovation project with delivery to continue up to the 2024/25 financial year.**

Note: This change relates to a reduction in the business assists output. However the project is offering an increase in their other contracted outputs, to offset the reduction in business assists and ensure the impact on the project's Value for Money is not detrimental.

3. REPORT DETAIL

- 3.1 Performance Through People (PTP) Ltd are a private training provider based in Walsall Town centre who have an excellent track record of providing high quality training to companies throughout the Midlands for over forty years. They have a strong track record of working with employers across a range of industries and are graded as 'Outstanding' by Ofsted for their partnership engagement. Building upon the success of previous Local Growth Fund (LGF) funded

projects (Fab Kit and the IT Academy) there is a need for further investment in their IT and Digital skills offering.

3.2 The recent apprenticeship reforms are having a negative impact on apprenticeship starts nationally, especially with SME's and large employers struggling to spend their levy funds. The IT and Digital programme at PTP will offer the flexibility and confidence to customers that training programmes can be customised to their needs and requirements. Over 50 levy companies will be supported, as a result of the project investment, and encouraged to engage more and utilise more of their funds more efficiently. The investment has allowed the applicant to increase the amount of digital skills that they offer to the Black Country and recruit additional staff to deliver a high-quality range of bite size courses.

3.3 The allocated funding has been claimed by the applicant and is detailed below –

Funding Breakdown	2019/20	2020/21	Total
LEP Funding	£68,162.50	£0	£68,162.50
Applicants' own funds	£68,162.50	£0	£68,162.50
TOTAL	£136,325	£0	£136,325

Original approved outputs to be delivered from this project:

Output	Total
Businesses Assisted	1250
Learner Assists	180
Apprenticeships	1600
Jobs Created	5
Jobs Safeguarded	20

3.4 Following on from the Government restrictions and impact from the Covid pandemic, the applicant is finding it challenging to secure sufficient number of new businesses to meet the project's required target. The employer engagement team at PTP have been working hard to develop opportunities with new employers, however certain sectors (hospitality, care, and some parts of manufacturing) have had a significant impact either through closure or restricted access.

3.5 The project however will be able to exceed the number of outputs of Learner Assists, Apprenticeship starts and achievers using the extended time period for the Growth Deal Programme. Whilst the Covid pandemic has impacted on the ability to access employers, in terms of skills flexibility within the population and the options they have to find alternative employment, upskill, be more productive and valuable to an employer – PTP will have had a positive impact through the delivery of the other contracted outputs. The apprenticeship work with starts and achievers within existing employers will enable the development and future proofing for businesses, developing their teams, making them more cost effective and productive in the community and marketplace. The online offer, funded through the Growth Deal, has enabled the applicant to engage with learners and to assist them with their learning through this challenging period.

3.6 An updated Output profile and forecast is tabled below –

Output	Original Target Overall	Verified to end of 19/20	Revised Target	20/21	21/22	22/23	23/24	24/25
Jobs created	5	5	No change	0	0	0	0	0
Jobs Safeguarded	20	20	No change	0	0	0	0	0
Business Assists	1250	16	581	15	50	100	200	200
Learner Assists	180	35	605	365	125	80	0	0
Apprenticeship Starts	1600	298	1998	450	350	300	300	300
Apprenticeship Completes	800	32	1511	429	300	250	250	250

- 3.7 The project is requesting an approval to reduce the business assists output, whilst they will continue to work with the Accountable Body to identify additional business support that they can potentially evidence. The project is offering an increase in their other contracted outputs, to offset the reduction in business assists and ensure the impact on the project's Value for Money is not detrimental.

4. BENEFITS 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.

4.2 Current BCR

2685 > 1.5

New proposed BCR with the change

1267 > 1.5

The project is still deemed very good value for money.

5. FINANCIAL IMPLICATIONS

- 5.1 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.
- 5.2 Funding breakdown is covered in section 3.3

6. LEGAL IMPLICATIONS

The appropriate Grant Agreement is in place and 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 put into place by the LEP Board and Black Country Joint Committee.

8. EQUALITY IMPLICATIONS

None at the time of drafting.

9. CONSULTATION

Legal and Finance Officers at Walsall Council have been consulted as part of the development of this report.

Background papers

- PTP IT Digital Skills and Innovation Project Change Request;
- March 2021 FSG GD Report v1.0.

Attachments

None.

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**REPORT OF THE HEADS OF REGENERATION WORKING GROUP
TO
BLACK COUNTRY EXECUTIVE JOINT COMMITTEE
ON
23 JUNE 2021**

**Black Country Digital Fund
BLACK COUNTRY DIGITAL STRATEGY
Grant Agreement**

Key Decision:	Yes
Forward Plan:	Yes

1. PURPOSE OF REPORT

- 1.1 To request that the Black Country Executive Joint Committee approve the Black Country Digital Strategy Project, funded from the Growing Places revenue budget in the first instance, although charged to the Black Country Digital Fund where costs can be capitalised.
- 1.2 This funding request was endorsed by the LEP Funding Sub Group on the 8 of April 2021 and was approved by the LEP Board on the 19 of April 2021 and endorsed by Working Group on 20 May 2021.

2. RECOMMENDATIONS

That the Black Country Executive Joint Committee approve the Accountable Body (Walsall Council) to **enter into a Grant Agreement with the Black Country Consortium Ltd for up to £60,000 to develop the Black Country Digital Strategy**, initially funded from the Growing Places revenue budget, and where applicable and eligible, recharged to the capital Black Country Digital Fund.

3. REPORT DETAIL

- 3.1 In 2016, the Black Country Digital Strategy was produced in response to the various projects taking place across the Black Country. The aim of the report was to capture:
 - the many digital activities taking place across the Black Country;
 - highlight future activities that could help deliver services across the Black Country;
 - to ensure a digital approach to address the digital needs of the Black Country.

- 3.2 Since the report publication, much progress has taken place across the Black Country in terms of digital infrastructure. In 2016, superfast broadband speeds of 24Mb were the standard which was being rolled out in the region, today – the focus is on full fibre being deployed (1GB speeds, which are up to 20 times faster). 5G was a concept in 2016, whereas today people can access 5G connectivity across the Black Country.
- 3.3 The West Midlands Combined Authority (WMCA) recently produced its ‘Digital Roadmap’, which drew on activity taking place across the country and region. It presented a strategic steer on opportunities that the WMCA will be focusing on moving forwards.
- 3.4 As a result, it has been proposed that the ‘Black Country Digital Roadmap’ be upgraded as the key document, under which a smaller suit of documents will be produced:
- Black Country Digital Strategy 2021 (Main);
 - Black Country Smart City Strategy;
 - Black Country Skills Strategy (already produced in 2020);
 - Black Country Digital Infrastructure;
 - Black Country Digital Inclusion;
 - Black Country Digital Health.
- 3.5 The Project team is in the process of contacting partner organisations across the Black Country, who are involved in digital sector to capture their feedback on current and planned future activity. It is anticipated that the reports will be completed by the May 2021.
- 3.6 Key focus will be given to the following issues:
- A pipeline of future projects for the region;
 - Branding around digital activities in the Black Country;
 - Digital week, selections of digital talks, events and activities held on an annual basis – similar to other large cities in the UK;
 - Looking at the digital needs of the core sectors across the Black Country.
- 3.7 A funding request of £60,000 will cover the costs of producing the documents and delivery of activities across the Black Country in 2021/22. It is envisaged that this funding could come from the Gainshare that was accumulated from the Black Country Broadband Project. However, this is a capital budget and it is unlikely that costs incurred in developing a strategy would comply with Capital accounting standards. Therefore, it is proposed that initially these costs would be funded from the Growing Places revenue budget, and where applicable and eligible, recharged to the capital Black Country Digital Fund.
- 3.8 You can read and access the existing strategy here:
<https://www.blackcountrylep.co.uk/regional-growth/black-country-digital-strategy/>

4. BENEFITS 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.
- 4.2 A BCR calculation is not required for this project, as this is revenue funding. The programme will seek to capitalise the funding, by means of delivering future tangible outcomes, based on the developed digital strategy for the Black Country.
- 4.3 Long term the updated digital strategies and associated strategies will seek to:
- Help the Black Country identify future digital opportunities;
 - Prepare the Black Country to think strategically around digital development, digital skills requirements, and the future digital requirements for our core sectors in the region;
 - Help the growth of nascent sectors, buy identification of opportunities for collaboration;
 - And importantly to place the Black Country in a strong position to be able to compete and access regional and national funding opportunities.

5. FINANCIAL IMPLICATIONS

- 5.1 All the costs associated with this proposal form part of the Growing Places revenue budget and where applicable and eligible, recharged to the capital Black Country Digital Fund. The Black Country Digital Fund is covered by the Gainshare payment that was accumulated from the Black Country Broadband Project (originally funded from Growing Places Fund).
- 5.2 As the Gainshare is a return from an initial capital investment, it is deemed as a capital fund. It is unlikely that costs incurred in developing a strategy would comply with Capital accounting standards. Therefore, it is proposed that initially these costs would be funded from the Growing Places revenue budget, and where applicable and eligible, recharged to the capital Black Country Digital Fund.

FUTURE FUNDING OPPORTUNITIES

- 5.3 The UK's first post-Brexit budget has seen the country step away from specific targets around gigabit broadband coverage and instead focus on the concept of the "digital economy". The Chancellor said investment is key to making the UK economy more productive, and at the core to that plan is improving the technology, infrastructure and skills that people need in order to produce goods and services.

5.4 It is predicated that Government will invest further resources over the coming years in the digital economy, to help develop and consequentially promote the UK as an advanced digital economy for inward investment for companies looking to relocate.

5.5 Key points for digital economy from the 2021 budget include the following:

- **Help to grow: Digital**

This initiative has been designed to help 100,000 SMEs adopt “productivity-enhancing software”. The UK-wide scheme was inspired by the pandemic forcing many businesses to move online. The plan is to offer these businesses a voucher covering the costs of an approved software up to a maximum of £5,000 and free expert training. Businesses can use this voucher on software that can:

- Build customer relationships and increase sales;
- Make the most of selling online; or
- Manage their accounts and finances digitally.

- **A new fast-track visa for Tech Talent**

This new fast-track visa was introduced to fill the skills gap present within sectors post-Brexit. The visa is set to come with simplified bureaucracy for talent worldwide, and will look to boost fintech, as well as technology operations generally.

- **Free tech advice and training for businesses**

Government announced plans to introduce an online platform dedicated to providing free advice to businesses on using technology. According to the Treasury, the new tech support hub will “help businesses to save time, reduce costs, and reach more customers”. Expanded upon during the 2021 Spring Budget, the Help to Grow scheme, worth £520 million, will look to aid SMEs to be more competitive while enhancing digital skills across the enterprise.

- **Taxpayer Protection Force**

Following the rise in Covid-related fraud, spanning emails and SMS messages, claiming to be from HMRC or PPE providers, the Spring Budget announced a new £100m task force dedicated to combating these attacks through 2021 and beyond. The Taxpayer Protection Force is set to be staffed by over 1,250 HMRC operatives responsible for detecting and investigating fraudulent claims through schemes such as furlough and the Self Employment Income Support Scheme (SEISS).

- **The best place to IPO**

The UK has now created over 80 tech unicorns – almost three times as many as our nearest European rival, Germany – and has another 136 ‘futurecorns’ in the pipeline. As a result, the Government is focused on maintaining its position and recommended formalising the creation of dual-class share structures – which will be key to ensuring tech founders retain greater control of the companies they have built. In a bid to maintain global competitiveness, consultations are also being launched on R&D tax reliefs and Enterprise Management Incentives. As the business world evolves, the UK regulatory environment has to evolve to keep pace.

- **Boosting digital skills**

Upskilling and reskilling the workforce is essential for the jobs of the future. A new £2.9 billion Restart Scheme will launch this summer to provide tailored support to over 1 million unemployed

people and help them find work. The Kickstart Scheme, which provides fully-subsidised jobs for young people at risk of long-term unemployment, was also emphasized, with 120,000 vacancies being created so far. As was the Lifetime Skills Guarantee, which gives adults the chance to build their skillset through fully-funded courses covering areas such as digital. Coupling these with other brilliant programmes such as Digital Boost and The Skills Toolkit shows the government is serious about addressing skills gaps faced by scale-ups and reskilling in the face of automation.

- **UK Infrastructure Bank**

This will be setup to replace the fact that, post-Brexit, we can no longer make use of the European Investment Bank in the UK. This new bank, which hopes to encourage a £40bn spending spree on infrastructure, will be supported by an initial £12bn in capital investment. Apparently, this one will be based in Leeds, and aims to:

- be able to deploy £12 billion of equity and debt capital and be able to issue up to £10 billion of guarantees;
- offer a range of financing tools including debt, hybrid products, equity and guarantees to support private infrastructure projects;
- from the summer, offer loans to local authorities at a rate of gilts + 60 basis points for strategic infrastructure projects;
- establish an advisory function to help with the development and delivery of projects.

The UK infrastructure bank will be instrumental, as the UK's tech-driven future ambition requires an infrastructure to match.

- **Future Fund: Breakthrough**

This £375 million investment fund is intended to plough money into "fast-growing UK technology companies". Taxpayers will fund the cost of stakes in such enterprises, matched by private sector venture capital. Technology appears to be the focus of the Chancellor's vision for the future of the UK economy. The UK's cutting-edge tech R&D, particularly in healthcare, was brought to the fore to help rise to the challenge of the pandemic. The new fund to buy stakes in tech start-ups is a signal of government confidence in technology as the lifeblood of innovation in the UK. It offers high-growth firms a chance to level up their ambitions, helping to secure the UK's status as a global hub for tech jobs and opportunities.

- **Chancellor's digital strategy**

Among the digital economy strategies announced was *Help to grow: Digital* a plan to upskill SME owners through a "free and impartial" advice service on how technology can boost their performance. This will be delivered through a new online platform, and eligible businesses will also be able to get a discount of up to 50% on the cost of approved software, worth up to £5,000.

- **The drive to Net Zero**

The Chancellor also showed a commitment to driving towards net zero targets. The budget outlines support for the development of green energy innovation schemes as part of the £1 billion Net Zero Innovation Portfolio, issuing of the UK's first sovereign green bond and a new wave of investment into energy innovation. This includes £20 million for floating offshore wind tech and a £68 million competition for energy storage prototypes.

6. LEGAL IMPLICATIONS

The appropriate Grant Agreement will be drawn up by the Accountable Body (Walsall Council), and include all necessary conditions including that spend must be capital.

7. RISK MANAGEMENT

- 7.1 There is a risk that these costs cannot be capitalised. However, the source budget proposed is a revenue budget.
- 7.2 There is a risk that the strategy could exceed budget, but this is considered remote given that this an internal BCC Ltd led project, as requested by the LEP Board.
- 7.3 There is a risk that the strategy may not result in additional investment and added value, especially given uncertainty over the future of the LEP. This risk will be managed by the ongoing monitoring of the Black Country Strategy, and being part of the consultation of the LEP review, including engagement with key stakeholders.

8. EQUALITY IMPLICATIONS

None at the time of drafting.

9. CONSULTATION

Legal and Finance Officers at Walsall Council have been consulted as part of the development of this report.

Background papers

- Black Country Digital Strategy Funding Sub Group Paper April 2021.

Attachments

None.

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**REPORT OF THE HEADS OF REGENERATION WORKING GROUP
TO
BLACK COUNTRY EXECUTIVE JOINT COMMITTEE
ON
23 JUNE 2021**

**BLACK COUNTRY LOCAL GROWTH DEAL
PROGRAMME APPROVAL OF THE 2020/21 YEAR END SPEND**

CAPITAL FUNDING

Key Decision:	Yes
Forward Plan:	Yes

1. PURPOSE OF REPORT

- 1.1 To request that the Black Country Executive Joint Committee approve the expenditure and output profiles for the Growth Deal projects in line with 2020/21 year-end project claims and proposed change requests.
- 1.2 This request was endorsed by the LEP Funding Sub Group on the 6 of May 2021 and approved by the LEP Board on the 17 of May 2021 and endorsed by Working Group on the 10 of June 2021.

2. RECOMMENDATIONS

That the Black Country Executive Joint Committee:

- 2.1 Approves the year end position of the Growth Deal Projects, reflecting all changes to the Programme (Funding and Outputs) throughout the year and, to maximise the 2020/21 Growth Deal allocation expenditure, requests approval for various changes detailed in Attachment 1 of the report.
- 2.2 Approves that Very Light Rail Test Track expenditure of £612,051 in 2020/21 (currently funded from Growth Deal) is charged to the Getting Building Fund, to utilise unspent 2020/21 budgets allocated to the Very Light Rail National Innovation Centre project.
- 2.3 Approves that the Growing Places Fund (utilised to over-programme Growth Deal) is used to fund the Very Light Rail National Innovation Centre project costs of £612,051 in 2021/22, as the variance represents slippage rather than underspend. This will ensure that the Getting Building funds allocated to the Black Country in 2020/21 are fully utilised.

3. REPORT DETAIL

- 3.1 The Local Growth Deal was awarded to the Black Country Local Enterprise Partnership (BC LEP) and administered in 2015, as a competitive capital programme. Previous years have been successful with regards to financial spend and output delivery. The Programme has specific agreed targets to achieve through strategic partnerships and investing in Commercial, Residential, Skills Capital and Transport schemes. This report focuses on the 2020/21 financial year and the next steps for programme monitoring, as the Local Growth Deal closed on the 31st of March 2021.
- 3.2 Successful programme management by the Black Country Consortium's (BCC Ltd) Programme Management Office (PMO) and LEP's Single Accountable Body (SAB) has resulted in the programme achieving the 2020/21 final annual spend target and therefore a number of change requests have been submitted for LEP's and Joint Committee's approval. The project expenditure and output profiles have been closely monitored by the PMO and the SAB over the course of the programme. This has informed the PMO's Growth Deal Dashboards as well as the SAB's claims and committed expenditure forecasts which have continued to be presented at monthly board meetings, to inform the latest forecast as well as the over/under utilisation of Grant Funding.
- 3.3 The report details the current position of all Growth Deal Projects, reflecting all changes to the Programme (Funding and Outputs) some of which have been considered and approved by the LEP Board and Joint Committee throughout the year. In 2019 the LEP and the Joint Committee approved the use of the unallocated funds from the Growing Places Fund to be utilised for the 'Local Growth Deal over programming'. This flexible over programming mechanism has been essential in ensuring that the Growth Deal programme is spent on target, because the Growth Deal is time limited to 31st March 2021, whereas the Growing Places Fund is not.
- 3.4 The final financial position for the LEP Board and Joint Committee approved projects is profiled below. The spend target for 2020/21 has been achieved with the final figure being finalised at £56.4m

15/16	16/17	17/18	18/19	19/20	20/21	TOTAL
£29,950,000	£46,301,957	£31,384,296	£19,527,429	£24,106,467	£56,415,733	£207,685,882

- 3.5 Due to the Covid-19 pandemic, a number of project delivery timescales have been impacted, and as result circa £5m worth of claims are yet to be processed. There is a contractual commitment period between April and June, whereby projects can still claim spend as long as the spend is contracted by 31st March 2021, which ensured that the programme achieved its financial target. Some projects have asked for an extension to deliver their contracted Outputs, to recover the time lost due to Covid-19. The Growth Deal programme had a general output extension agreed by BEIS in 2017, this will provide additional time required for projects to recover from the impact of the pandemic. All change requests will go to the Funding Sub Group for initial scrutiny before any approvals are granted.

Current position of direct Outputs is tabled below:

	Jobs Created**	Housing completed	Business Assists	Learner Assists	Commercial Floorspace
Target	6,384	2,536	3,200	8,984	39,244
Direct Forecast Outputs (see attachment)	9,324	1,617	2,903	13,767	86,172
Actual to Date	6,598	1,134	445	9,420	56,722

**Outputs are subject to validation by the SAB*

***Jobs created includes apprenticeships*

- 3.6 Transport projects have always been deemed higher risk within the programme, due to the timescales required for development of the capital schemes and then time required for the construction phase to complete. The M6 Junction 10 major scheme, which has a large portion of Growth Deal funding allocated to it, has had a successful delivery programme to date, with all Growth Deal money being drawn down and claimed. The Birchley Island project has had support over the life time of the Growth Deal programme to ensure that the capital scheme can secure the funding required, to deliver improvements to reduce congestion in the area. The Birchley Island capital scheme successfully received programme entry in February of this year, with the funding package required, secured from the Major Route Network (MRN) programme from the Department of Transport (DfT). Any unclaimed funds allocated to Birchley Island project, will be returned to the BC LEP for reinvestment into other Black Country priorities.
- 3.7 Like Growth Deal, the Getting Building Funding (GBF) annual allocations are received in advance, and must be fully spent each year, or risk a reduced allocation for the following year. The year-end position is a £612,051 underspend of the GBF allocation.
- 3.8 In order to ensure that the overall spend target is achieved for the GBF programme in 2020/21, it is proposed by the PMO and SAB to make use of the freedoms and flexibilities awarded to the West Midlands Combined Authority (WMCA) and the BCLEP by proposing that Very Light Rail Test Track expenditure of £612,051 in 2020/21 (currently funded from Growth Deal) is charged to the Getting Building Fund, to utilise unspent 2020/21 budgets allocated to the Very Light Rail National Innovation Centre project. Also, as both Growth Deal and GBF annual allocations must be fully spent in year, but Growing Places Fund does not, it is also suggested that the Growing Places Fund is utilized to fund the in-year underspend of £612,051 by the Very Light Rail National Innovation Centre project, as this is slippage rather than a true underspend. This would allow these costs to be claimed in 2021/22.

Utilisation of Grant Funding	2020/21	2021/22	Total Grant Funding	Variance
Very Light Rail Innovation Centre				
Getting Building Fund	£3,179,673	£8,558,277	£11,678,272	-£612,051

Growth Deal / Growing Places Fund	£0	£612,051	£612,051	£612,051
Total	£3,179,673	£9,170,327	£12,350,000	
Very Light Rail Test Track				
Growth Deal	£4,278,063	£0	£4,278,063	-£612,051
Getting Building Fund	£612,051	£0	£612,051	£612,051
Total	£4,890,114		£4,890,114	

4. BENEFITS 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.
- 4.2 Individual BCR calculations are not relevant for this paper, as the changes proposed do not affect the project's value for money.

5. FINANCIAL IMPLICATIONS

The costs associated with this development work and the delivery of projects that form part of the Local Growth Deal are covered by allocations from government associated with this programme, including the remaining Growing Places budgets used to over-programme Local Growth Deal.

6. LEGAL IMPLICATIONS

The appropriate Grant Agreements are in place and have been 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 has been, and will continue to 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 have been consulted as part of the development of this report.

Background papers

- May 2021 GD Funding Sub Group paper;
- Individual project status reports.

Attachments

- I. Attachment 1 - Revised Growth Deal Project Outputs and Grant Allocations.

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GROWTH DEAL PROJECTS		Outputs					Expenditure							
		Jobs	Apprentice ships	Houses	BA	LA	Comm Floor space (Sqm)	15/16	16/17	17/18	18/19	19/20	20/21	TOTAL
LGF														
Accessing Growth - Bilston Urban Village	Reported							726,627	2,168,661					2,895,288
Accessing Growth - Junction & Highway Improvements (Canal Side)	Reported							630,000						630,000
Accessing Growth - J10 Resilience Package	Reported							94,519	1,235,176					1,329,695
Accessing Growth - Coach Station	Reported							387,673	90,000					477,673
Accessing Growth - Wednesbury to Brierley Hill Metro	Reported								400,000	130,000	100,000			630,000
Accessing Growth -Compton Park Improved Connectivity	Reported							149,352						149,352
Accessing Growth - Springfield Campus InterChange Connectivity	Reported								600,000					600,000
Accessing Growth - A454 Willenhall Road	Reported								158,800	26,517				185,317
Accessing Growth - A449 Stafford Road	Reported								101,011	13,336				114,347
Accessing Growth - A459 Dudley Rd/Coombs Rd Halesowen	Reported								259,291	280,709				540,000
Accessing Growth -Pinfold Bridge, Wednesfield Road	Reported								674,568					674,568
Accessing Growth - Himley Road	Reported									78,500				78,500
Accessing Growth - Salters Road	Reported									768,340	618,604			1,386,944
Accessing Growth M6 J10	Reported									218,835				218,835
Accessing Growth - Westlink Development	Reported									54,461	100,539			155,000
Accessing Growth - Springfield Campus Ph 2	Reported										396,863	135,432		532,295
Accessing Growth - City North & East Gateway - Major Scheme Dev	Reported									200,000	214,510	5,489		419,999
Accessing Growth - Walsall Economic Growth & Infrastructure Package	Reported										912,652	3,695		916,347
Accessing Growth - Unallocated	Reported											0		0
Advance Science, Engineering & Technology Centre	Reported	20	530		160	965	4067.3	1,059,000						1,059,000
Bilston Urban Village	Reported	22		498			771	2,750,000	2,087,599					4,837,599
Dudley Advance Construction (CABTech)	Reported	315	725		1170	2,600	200	2,028,108	5,851,892					7,880,000
Elite Centre Feasibility Study	Reported							170,000						170,000
Elite Centre for Manufacturing Skills	Reported	67	412		365	0			1,751,940	5,972,164	773,832	-941,717	7,556,219	
FAB Kit Programme	Reported	8	685		267	1,336	60	316,088						316,088
Goscote Lane Corridor Development Programme	Reported		12	741	0	0		1,700,000	2,808,000	4,312,000				8,820,000
Growing Priority Sectors	Reported	800	45		48	14	5796	1,493,383	1,335,344	1,669,415	3,155,352	530,163		8,183,657
Growing the City Centre Cultural and Business Event Offer	Reported	67	13		85	1,500		1,876,699	2,301,021	1,234,681				5,412,401
M6 Junction 10 LGF & Dft funds	Reported							650,000	350,000	120,000	0	5,062,348	23,467,652	29,650,000
Major Transport Scheme	Reported										690,409		6,929,591	7,620,000
Managing Short Trips	Reported							2,430,009	3,860,836					6,290,845
Science, Technology & Prototyping Centre	Reported	122						1,296,594	3,583,406					4,880,000
Wolverhampton InterChange - Commercial Gateway Phase 2 (LGF)	Reported	219					5631.85	4,500,000		3,500,000				8,000,000
Woods Lane	Reported			0	1			548,991	2,528,718	984,621	268,341	13,115		4,343,786
Ruskin Mill Glasshouse Phase 3	Reported	12	0		15	201	274	160,026						160,026
Walsall Waterfront	Reported							31,638	100,771	14,965				147,374
Dudley Town Centre - Buildings & Sites Improvements Programme	Reported	1		67	9		330	169,558	285,442					455,000

GROWTH DEAL PROJECTS		Outputs					Expenditure						
		Jobs	Apprentice ships	Houses	BA	LA	Comm Floor space (Sgm)	15/16	16/17	17/18	18/19	19/20	20/21
City of Wolverhampton College Relocation - Development Funding	Reported						310,000						310,000
Walsall College - Improving Engineering Capacity & IT Academy	Reported		247			1,259	354,895						354,895
UoW Apprenticeship Hub	Reported		715				150,000	50,000					200,000
Music Institute Development Study	Reported						80,000	69,997					149,997
Very Light Rail Development Study	Reported						150,000	150,000					300,000
Airfield Drive	Reported					5119			370,993				370,993
Halesowen College - Access Centre for HE	Reported		10		0	515		700,000					700,000
Dudley College - Specialist Equipment for HVM Sector	Reported		215			0		104,400					104,400
Dudley Brownfield Land Ph 1	Reported			202				986,748	716,464	414,977	311,766		2,429,955
Pensnett Estate Extension Development	Reported					20061.5		1,477,368					1,477,368
Walsall College - Additional Engineering Equipment	Reported		200			365		149,250					149,250
Dudley College - Construction Apprenticeship Training Centre	Reported	0	200			415		507,247	92,753				600,000
VLR - Test Track and Innovation Centre - SEED funding	Reported							637,814	198,914				836,728
Managing Short Trips Tranche 2	Reported								2,024,655	2,161,122	653		4,186,429
203/204 Wolverhampton Street	Reported					342			145,947				145,947
City North Gateway Phase 1 M54 Jct 2 to Springfield Lane	Reported								2,319,080	1,031,920			3,351,000
Advanced Manufacturing Training Centre	Reported	19	390		70	1000			722,999				722,999
Walsall College Digital, Constuction & Engineering Expansion	Reported		532			442			500,832	483,168			984,000
i9 (BLOCK 9) Wolverhampton	Reported					4436				0	755,280	3,242,387	3,997,667
Woods Lane Phase 2	Reported			105							1,570,621	127,379	1,698,000
Church Square Appartments	Reported			4						123,121			123,121
i54 Western Extension - Access Package (LTB & Accessing Growth)	Reported									230,373	4,269,627	500,000	5,000,000
Halesowen College - Business & Construction Management Centre	Reported		275		10	325				176,565	2,895,209	2,860,326	5,932,100
Hatherton Street Phase 2	Reported					1526					384,611	239,967	624,578
	Change					1526					384,611	215,353	599,964
The Leather Industry	Reported	9								450,000			450,000
Phoenix 10	Reported									1,222,042	122,963	599,717	1,944,722
Home to Hub & Test Innovation Development funding	Reported								838,826	306,921	0	0	1,145,747
SOABE (School of Architech & Built Environment)	Reported	28	175		108	255				1,168,947	1,431,165	919,888	3,520,000
Springfield Phase 1	Reported									3,056,044	0	1,363,956	4,420,000
National Brownfield Institute	Reported									0	0	500,000	500,000
	Change									0	0	464,814	464,814
Black Country Living Museum Forging Ahead Programme	Reported	58	19			308					1,075,586	7,924,414	9,000,000
Birchley Island Development Scheme	Reported										592,556	807,444	1,400,000
	Change										592,556	511,696	1,104,252
VLR - Test Track	Reported											4,890,114	4,890,114
	Change											4,278,063	4,278,063
Sandwell Aquatics	Reported	24				15400					5,000,000	0	5,000,000
IT Digital Skills	Reported	5	1600		1250	180					68,163	0	68,163
	Change	5	1998		581	605					68,163		68,163
YMCA	Reported	86	44		14	1662						941,000	941,000
i54 Western Extension	Reported											2,500,000	2,500,000
Birchley Island Site Assembly	Reported											800,000	800,000
	Change											0	0
Very Light Rail - National Innovation Centre	Reported											650,000	650,000
VLRNIC	Reported											0	0
	Change											612,051	612,051
Sandwell Aquatics Infrastructure	Reported											588,200	588,200

GROWTH DEAL PROJECTS	Outputs						Expenditure							
	Projects	Jobs	Apprentice ships	Houses	BA	LA	Comm Floor space (Sgm)	15/16	16/17	17/18	18/19	19/20	20/21	TOTAL
SITE INVESTIGATION														
Popes Lane - Site Investigation	Reported							54,290						54,290
Pensett Estate Extension - Site Investigation	Reported							41,165						41,165
Parkrose industrial Estate - Site Investigation	Reported							53,994	19,170					73,164
Challenge Block - Site Investigation	Reported								0	21,092	19,908			41,000
Moxley Tip - Site Investigation	Reported								88,600	23,298				111,898
Shidas Lagoon - Site Investigation	Reported									990	77,528	38,201		116,719
Bourne Street - Site Investigation	Reported								63,565					63,565
Wharf Approach - Site Investigation	Reported										25,714			25,714
Bull Street - Site Investigation	Reported								34,761	0				34,761
Black Country Living Museum Forging Ahead Programme - Site Inv	Reported								20,148	3,821				23,969
Former Reedswood Golf Course - Site Investigation	Reported									9,330				9,330
Music Institute and Student Accommodation - Site investigation	Reported								32,579					32,579
City Learning Quarter - Site Investigation	Reported										120,000	0	345,725	465,725
	Change										120,000		322,500	442,500
Former Willenhall ST Works - Site Investigation	Reported									43,278	56,980			100,258
Springfield Campus Remediation - Site Investigation	Reported									83,195				83,195
University College Dudley	Reported										38,937	23,154		62,091
Sandwell Residential - Site investigation	Reported										44,808			44,808
Holloway Street, Gornal - Site investigation	Reported									43,235				43,235
Bilston Urban Village East - Site investigation	Reported										58,225			58,225
LTB														
M6 Junction 10	Reported							99,863		200,000				299,863
Wolverhampton InterChange - Commercial Gateway Phase 2	Reported							4,367,751	4,632,249					9,000,000
Birchley Island M5 J2	Reported							100,000						100,000
A4104 Pensnett High Street	Reported								2,348,432	1,451,569				3,800,001
A4123 Development Works	Reported								30,000	66,228	15,888	31,709		143,825
Dudley Bus Station	Reported								157,677	42,323				200,000
Mill Lane Bridge GRIP Study & Aldridge Line Aqueduct GRIP 3 Study	Reported									120,000	95,750	0	81,750	297,500
Wolverhampton to Willenhall Metro Extension - Dev funding	Reported									150,000	10,550			160,550
West Coast Mainline HS2 Study - Sandwell	Reported										40,000			40,000
West Coast Mainline HS2 Study - Walsall	Reported									40,000				40,000
A461 Corridor Improvements Phase 2 & 3	Reported									63,877	19,787			83,664
Bloxwich Mitigation Package	Reported									100,000				100,000
Birchley Island Transport Development Funding	Reported										150,000			150,000
Dudley Town Centre Infrastructure Improvements - Development Funding	Reported										62,948	87,052		150,000
Black Country Train Stations - Walsall	Reported										17,300	18,906	1,294	37,500
	Change										17,300	18,906	0	36,206
I54 Western Extension Transport Development Funding	Reported										63,213			63,213

GROWTH DEAL PROJECTS		Outputs						Expenditure						
		Jobs	Apprentice ships	Houses	BA	LA	Comm Floor space (Sgm)	15/16	16/17	17/18	18/19	19/20	20/21	TOTAL
Sustainable Transport Scheme Development Funding	Reported										40,000			40,000
Transport Major Road Network	Reported										80,600	169,400		250,000
	Change										80,600	168,106		248,706
Ultra Low EV Transport Development Funding	Reported										25,320	104,680		130,000
	Change										25,320	104,356		129,676
CAPITALISATION OF RESOURCE														
LEP Programme Management	Reported							263,049	300,572	196,110	135,239	153,202	181,000	1,229,172
	Change							263,049	300,572	196,110	135,239	153,202	134,137	1,182,309
LA Programme Work & Development - Dudley	Reported							142,889	249,866	248,754				641,509
LA Programme Work & Development - Sandwell	Reported							25,364	5,707	6,500				37,571
Joint Committee Expenditure - Walsall	Reported							126,223	195,661	175,000	230,372	175,000	275,000	1,177,256
	Change							126,223	195,661	175,000	230,372	175,000	258,550	1,160,806
LA Programme Work & Development - Walsall	Reported							69,995	250,000	250,000				569,995
LA Programme Work & Development - Wolverhampton	Reported							179,215	250,000	250,000				679,215
Black Country Transport expenditure - Wolverhampton	Reported							213,042	214,715	250,000	100,000	100,000	100,000	977,757
Programme Technical Advice - Property	Reported								42,955	21,303	40,216	80,806	120,000	305,280
	Change								42,955	21,303	40,216	80,806	1,052	186,332
Programme Technical Advice - Legal	Reported									14,388	7,765	5,793	35,000	62,946
	Change									14,388	7,765	5,793	1,694	29,640
TOTAL	Reported	1,882	7,044	1,617	3,572	13,342	86,171.65	£29,950,000	£46,301,957	£31,384,296	£19,527,429	24,106,465	61,265,885	£212,536,032
TOTAL	Change	1,882	7,442	1,617	2,903	13,767	86,171.65	£29,950,000	£46,301,957	£31,384,296	£19,527,429	£24,106,465	£59,868,633	£211,138,780
Growth Deal Commitment			6,384	2,536	3,200	8,984	39,244							
Variance to Contracted Outputs +Over/-Under			2,940	-919	-297	4,783	46,928							



**REPORT OF THE HEADS OF REGENERATION WORKING GROUP
TO
BLACK COUNTRY EXECUTIVE JOINT COMMITTEE
ON
23 JUNE 2021**

**GETTING BUILDING FUND
PROGRAMME APPROVAL OF THE 2020/21 YEAR END SPEND**

CAPITAL FUNDING

Key Decision:	Yes
Forward Plan:	Yes

1. PURPOSE OF REPORT

- 1.1 To request that the Black Country Executive Joint Committee approves the expenditure for the Getting Building Fund projects (GBF), in line with 2020/21 year-end project claims and proposed change requests.
- 1.2 This request was endorsed by the LEP Funding Sub Group on the 6 of May 2021, approved by the LEP Board on the 17 of May 2021, and endorsed by Working Group on the 10 of June 2021.

2. RECOMMENDATIONS

That the Black Country Executive Joint Committee:

- 2.1 Approves the current position of the Getting Building Fund Projects, reflecting all changes to the programme throughout the year, and to maximise the 2020/21 Getting Building Fund allocation expenditure.
- 2.2 Approves that Very Light Rail Test Track expenditure of £612,051 in 2020/21 (currently funded from Growth Deal) is charged to the Getting Building Fund, to utilise unspent 2020/21 budgets allocated to the Very Light Rail National Innovation Centre project.
- 2.3 Approves that the Growing Places Fund (utilised to over-programme Growth Deal) is used to fund the Very Light Rail National Innovation Centre project costs in 2021/22, as the variance represents slippage rather than underspend. This will ensure that the Getting Building Fund allocated to the Black Country in 2020/21 are fully utilised.

3. REPORT DETAIL

- 3.1 On the 10 of June 2020, a letter from the Secretary of State for Housing, Communities and Local Government, detailed the requirement for a submission of specific projects to be considered for grant funding, from what is now known as the 'Getting Building Fund' (GBF). This fund is seen as one of many platforms to enable the Covid-19 recovery plan across the country and boost local economies. 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 have been able to draw down awarded funds quickly and be able to start onsite by the Autumn of 2020.
- 3.2 The Black Country Projects that were successful were the Very Light Rail National Innovation Centre (VLRNIC) in Dudley and the National Brownfield Institute (NBI) in Springfield Campus in Wolverhampton. The funding award profile is tabled below:

Utilisation of Grant Funding	2020/21	2021/22	Total
Very Light Rail Innovation Centre	£4,136,500	£8,213,500	£12,350,000
National Brownfield Institute Phase 2	£5,640,700	£9,234,300	£14,875,000
TOTAL	£9,777,200	£17,447,800	£27,225,000

- 3.3 The GBF programme was awarded to the LEP's to administer, by the Ministry of Housing, Communities and Local Government (MHCLG), but via the Combined Authorities where applicable. For the Black Country this means the Black Country LEP (BC LEP) and its Single Accountable Body (SAB) are managing the funds, however, the programme is in a back-to-back contract with the West Midlands Combined Authority (WMCA), who report to BEIS on the progress of the programme, and allocated the grant award to the SAB in line with the profile above.
- 3.4 There is no option to make use of a contractual commitment period, as agreed for the Growth Deal programme, to provide additional time to claim spend incurred after the financial year was closed on the 31 of March. This means that projects must spend to target or risk losing allocated funding. However, the WMCA were awarded freedoms and flexibilities by BEIS to help manage the programme and spent targets – and these in turn have also been awarded to the Black Country LEP. The BC LEP has previously utilised these in its other programmes to ensure that targets are achieved and this does provide some flexibility to help ensure that financial targets are met, in absence of a contractual commitment period.
- 3.5 The NBI project has been successful since its start onsite in February 2021, it is currently ahead of delivery schedule and has been able to claim its full funding allocation for the first year of the programme. The VLRNIC started construction before the end of 2020 but unfortunately incurred some delays due to poor weather and site conditions back in January. The VLR final claim for the 2020/21 financial year will be under the required spend target.

3.6 In order to ensure that the overall spend target is achieved for the GBF programme in 2020/21, it is proposed by the Programme Management Office (PMO) and the SAB to make use of the following proposals listed and shown in the table below:

- Include additional claims from the NBI project totalling £5,985,477, this is over and above their target of £5,640,700 for 2020/21 (by £344,777). The grant allocation will be reduced by the same value in 2021/22.
- Utilise the Freedoms and Flexibilities awarded to the LEP's and process a change request to replace the underspend of £612,051 by the VLRNIC with the Growth Deal VLR Test Track Project, and fund the project underspend with Growing Places Fund LGF over-programming.

Utilisation of Grant Funding	2020/21	2021/22	Total	Variance
GBF Very Light Rail Innovation Centre	£3,179,673	£8,558,277	£11,737,949	£612,051
LGF Very Light Rail Test Track	£612,051	£0	£612,051	£612,051
GBF National Brownfield Institute Phase 2	£5,985,477	£8,889,523	£14,875,000	
TOTAL	9,777,200	17,447,800	£27,225,000	£0

4. BENEFITS 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.

4.2 Individual BCR calculations are not relevant for this paper, as the changes proposed do not affect the project's value for money.

5. FINANCIAL IMPLICATIONS

The costs associated with the delivery of these projects form part of the Getting Building Fund and are covered by allocations via the WMCA from government associated with this programme.

6. LEGAL IMPLICATIONS

The appropriate Grant Agreements and its variations will be drawn up by the Accountable Body (Walsall Council) prior to payment of grant, 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 has been and will continue to 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 have been consulted as part of the development of this report.

Background papers

- May 2021 GBF Funding Sub Group paper;
- Individual project status reports.

Attachments

- I. None.

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**REPORT OF THE HEADS OF REGENERATION WORKING GROUP
TO
BLACK COUNTRY EXECUTIVE JOINT COMMITTEE
ON
23 JUNE 2021**

**LAND AND PROPERTY INVESTMENT FUND
PROGRAMME APPROVAL OF THE 2020/21 YEAR END SPEND**

CAPITAL FUNDING

Key Decision:	Yes
Forward Plan:	Yes

1. PURPOSE OF REPORT

- 1.1 To request that the Black Country Executive Joint Committee approve the expenditure and output profiles for the Land and Property Investment Fund (LPIF) projects in line with 2020/21 year-end project claims and proposed change requests.
- 1.2 This request was endorsed by the LEP Funding Sub Group on the 6 of May 2021 and approved by the LEP Board on the 17 of May 2021 and endorsed by Working Group on the 10 of June 2021.

2. RECOMMENDATIONS

That the Black Country Executive Joint Committee approve of the current position of the Land and Property Investment Fund Projects, reflecting all changes to the Land and Property Investment Fund Programme (Funding and Outputs) throughout the year and, to maximise the 2020/21 allocation.

3. REPORT DETAIL

- 3.1 In 2017, the West Midlands Combined Authority (WMCA) agreed to allocate £53.04 million from the overall £200 million Land Remediation Fund to the Black Country Local Enterprise Partnership (BC LEP) to deliver a set of specific agreed outputs as follows:
- 1,800 new jobs;
 - 1,150 new homes;
 - 126,000 sq. m. commercial floorspace;
 - 46 hectares of land remediated.
- 3.2 Delegated authority was awarded to the BC LEP to manage the £53.04 million fund using an established governance process, in accordance with the Black Country LEP's
-

Assurance Framework, which is derived from and is compliant with the Government's National Growth Assurance Framework.

3.3 In January 2021 the WMCA approved an extension to the LPIF programme, from March 2021 until March 2025, to allow the projects to carry on delivering through to completion. This programme extension will allow the Programme Management Office (PMO) and the BC LEP's Single Accountable Body (SAB) to continue processing the financial claims and monitor the outputs, still to be delivered. It has been agreed that the PMO and the SAB can continue monitoring the programme in 2025/26, if required.

3.4 Due to the impact of the Covid-19 pandemic and some challenging weather conditions, project spend has been quite low for 2020/21, compared to previous years. Spend profile is tabled below:

2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	TOTAL
£7,237,338	£6,927,898	£355,627	£8,399,339	£16,240,718	£13,162,495	£135,500	£135,500	£52,594,415

There remains an unallocated amount of £445,585, within the first tranche of the £53m. The PMO are exploring options of how this funding can be allocated to another Black Country priorities identified on the Black Country pipeline.

3.5 Output delivery to date has been slow, as the fund is primarily to bring derelict sites back into economic use. Some of the projects require extensive land preparation works first, in order to deliver the final outcomes. Output progress to date is tabled below:

		Forecast by Year						Total Forecast	Actual to date	Target
		2018/19 & 2019/20	2020/21	2021/22	2022/23	2023/24	2024/25			
OUTPUTS	Land Remediated (ha)	11.72	0.00	25.27	0.00	4.88	29.26	71.13	11.72	46.00
	Housing Units Completed	190.00	0.00	131.00	275.00	32.00	95.00	723.00	190.00	1,150.00
OUTCOMES	Jobs Created	0.00	11.00	12.00	4.50	747.00	3,325.00	4,099.50	11.00	1,800.00
	Construction Jobs	0.00	34.00	11.00	75.00	100.00	1,030.00	1,250.00	34.00	0.00
	Floorspace (sqm)	4,873.00	0.00	0.00	0.00	50,000.00	144,149.00	199,022.00	4,873.00	126,000.00
	Business Assists	0.00	0.00	0.00	0.00	0.00	15.00	15.00	0.00	0.00
	Learner Assists	0.00	32.00	468.00	800.00	1,400.00	2,030.00	4,730.00	32.00	0.00

3.6 The 2020/21 financial year has seen encouraging progress made on a number of the projects within the Programme. Resonance (Music Institute) has opened and welcomed its first cohort of students in September 2020. The new building is now home to the Black

Country Radio Station and a number of partners have been utilising the excellent new facilities, although Covid restrictions have limited the project's ability to fully capitalize on these opportunities.

The Dudley Brownfield Phase 2 project has drawn to a conclusion with all nine housing sites completed. After substantive delays full planning permission for the full remediated Goscote Lane Residential site has been achieved with housing construction due to commence in 2021/22.

A number of key milestones have been met on the Phoenix 10 project with the legal agreement now in place with the developer Henry Boot, a hybrid planning permission has been submitted (outline planning for the main scheme and full planning for the site remediation) and the tender process is in progress for the remediation / infrastructure works.

Platform preparation works at the i54 Western Extension have progressed well and remain on plan to be completed by December 2021, although some weather delays caused the LPIF element of the spend to slip into 2021/22. The approval of the Sandwell Housing Phase 1 project into the Programme has enabled further housing unit outputs to be forecasted for the Programme.

4. BENEFITS 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.
- 4.2 Individual BCR calculations are not relevant for this paper, as the changes proposed do not affect the project's value for money.

5. FINANCIAL IMPLICATIONS

The costs associated with this development work and the delivery of projects that form part of the Land and Property Investment Fund are covered by allocations from the West Midlands Combined Authority associated with this programme.

6. LEGAL IMPLICATIONS

The appropriate Grant Agreements are in place and are utilised by the Accountable Body (Walsall Council), and include all conditions passed onto the LEP by the West Midlands Combined Authority, 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 has been and will continue to 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 have been consulted as part of the development of this report.

Background papers

- May 2021 LPIF Funding Sub Group paper;
- Individual project status reports.

Attachments

None.

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**REPORT OF THE HEADS OF REGENERATION WORKING GROUP
TO
BLACK COUNTRY EXECUTIVE JOINT COMMITTEE
ON
23 JUNE 2021**

**Black Country Local Growth Deal
YMCA CLEVELAND ROAD (SEPPL142)
Amendment to the Existing Grant Agreement
Additional Funding Request**

Key Decision:	Yes
Forward Plan:	Yes

1. PURPOSE OF REPORT

- 1.1 To request that the Black Country Executive Joint Committee approve of the YMCA Cleveland Road additional funding request of £88,676.25 in 2020/21 from within the Growth Deal Programme, subject to funding being available, as detailed in the report's paragraph 5.3.
- 1.2 This change request was endorsed by the LEP Funding Sub Group on the 6 of May 2021, approved by the LEP Board on the 17 of May 2021, and endorsed by Working Group on the 10 of June 2021.

2. RECOMMENDATIONS

- 2.1 That the Black Country Executive Joint Committee approve the Accountable Body for the Growth Deal (Walsall Council) to proceed to **amending the Grant Agreement** with the YMCA Black Country Group to deliver the Local Growth Deal Fund (LGF) funded elements of the YMCA Cleveland Road project with delivery to continue up to the 2024/25 financial year.
- 2.2 The request is for **additional grant value of £88,676.25 in 2020/21**, subject to funding being available. Should funding be available the **total grant award will be £1,029,676.25**

3. REPORT DETAIL

- 3.1 In June 2019, the YMCA submitted a Full Business Case (FBC) application for Black Country LEP grant funding, to facilitate delivery of the proposed Phase 2 commercial

works, in respect of their residential/commercial mixed-use scheme at Cleveland Road, Wolverhampton. The amount of grant approved by the Black Country Joint Committee (BCJC) was a sum of £941,000. The site upon which the proposed YMCA building sits, comprises the former bus depot on Cleveland Road which covers 1.08 hectares (2.67 acres) in total. This in turn, sits to the north western corner of the wider Royal Wolverhampton Hospital site, for which major mixed-use developments have been considered over a period of many years. The overall site was owned by Tesco Stores until March 2016 and comprises around 5.06 hectares (12.5 acres) of land and buildings.

- 3.2 The YMCA Black Country Group comprise 1 of over 140 independent registered charities, which form the YMCA movement in England. The applicant currently provides childcare, supported accommodation, a fitness club and wellbeing facilities as well as room hire, IT learning and a healthy eating café from premises in Wolverhampton and West Bromwich. The applicant has also worked with public sector partners, including the respective Local Authorities and Homes England in delivering a number of projects within the Black Country, including West Bromwich Western Gateway and the former John Dando House project, comprising longer term residential units and facilities at Great Barr.
- 3.3 Homes England acquired the overall site (Royal Wolverhampton Hospital & former bus depot) in 2016 and obtained planning permission for homes on the bus depot site in November 2016. Homes England demolished the bus depot buildings and completed site remediation and levelling of the site and subsequently worked in partnership with City of Wolverhampton Council to design and implement environmental improvements along Cleveland Road, with a view to creating an improved link with the wider city centre, as part of the City of Wolverhampton Council's strategic regeneration plans for the city.
- 3.4 Homes England marketed the cleared and remediated Cleveland Road former bus depot site as an initial phase of development, using their developer partner panel in order to procure a developer partner. It is understood that interest in the site was limited but that Jessup Brothers were ultimately successful and entered into a development agreement, facilitating delivery of the YMCA building as an initial phase, with proposed additional social housing to follow. As well as the YMCA building, Jessup have also now commenced works in relation to the delivery of new housing on the remainder of the former bus depot site on behalf of the Walsall Housing Group (WHG). This latter phase of development is to comprise 74 apartments in blocks B and C to be delivered by 31st March 2021 and the remainder comprising 18 houses and 9 shared ownership units which will be completed by end of June 2021.
- 3.5 The remainder of this major regeneration opportunity site, comprises of the former Royal Wolverhampton Hospital site and buildings, which is currently in the final stages of marketing, also through the Homes England developer panel. A hybrid planning application for the site has been approved, which relates to the development of 115 residential dwellings on the cleared, vacant land adjoining the listed building. A further planning application is also now approved, which relates to the change of use for the main building and the former lodge building, and demolition of the former nurse's accommodation block.

- 3.6 Beyond the Homes England ownership, this wider site is identified as part of a key regeneration area forming part of the All-Saints Character Area, which requires a high-quality scheme with strong high-quality elevations and there are wider proposals to enhance pedestrian links between the site and the City Centre. Immediately to the south eastern corner of the former bus depot site, is an area of land which has been retained by Tesco for potential delivery of an “Express” store. A further area is held by SJ Dixon & Son and it is understood that this is currently proposed to be developed for a coffee shop.
- 3.7 The project has progressed well throughout the pandemic and is due to complete this summer. There has been some increase in the construction costs for the development, which the YMCA has absorbed in the short term, to not risk any delay to the delivery schedule. As many of the income generating elements of the YMCA business have had to close, due to Covid restrictions, this has placed additional pressures on the organisation’s budget, making the full absorption of the cost increases unsustainable for the YMCA in the longer term. An additional funding request of £88,626.25 has been submitted and the full funding summary is tabled below:

Funding Breakdown	2018/19	2019/20	2020/21	Total
LEP Funding	£0	£0	£941,000	£941,000
Additional Funding Request	£0	£0	£88,676.25	£88,676.25
Other Public Funds (Homes England)	£0	£1,858,500	£1,858,500	£3,717,000
Applicants’ own funds	£0	£1,800,000	£1,800,000	£3,600,000
TOTAL	£0	£3,658,500	£4,688,176	£8,346,676

- 3.8 An updated Value for money assessment has been carried out by the PMO to understand the impact of the additional funding on the overall return on investment. The impact is deemed to be minimal and the project is still thought to be very good value for money. The PMO are recommending support for this request, so that the outcomes of the LEP’s investment are not at risk.

4. BENEFITS 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.

- 4.2 Baseline BCR calculation
37.53 > 1.5
Updated BCR calculation
34.08 > 1.5

*BCR above 1.5 is considered good value for money.

5. FINANCIAL IMPLICATIONS

- 5.1 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.
- 5.2 Funding breakdown is covered in section 3.7
- 5.3 This approval is subject to the Growth Deal programme being able to accommodate this additional funding request, once the year end contractual commitment period is closed.

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 the City of Wolverhampton Council have been consulted as part of the development of this report.

Background papers

- YMCA Cleveland Road Project Change Request;
- May 2021 FSG GD Report v1.0'.

Attachments

None.

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