



Black Country Executive Joint Committee
Dudley, Sandwell, Walsall and Wolverhampton

BLACK COUNTRY EXECUTIVE JOINT COMMITTEE

On Wednesday 24 January 2024 at 11:00am

To be held at Walsall Council House, Lichfield Street, Walsall

MINUTES - PUBLIC (Draft)

MEMBERS - In person

Dudley MBC - Councillor Patrick Harley (Voting), Balvinder Heran (sub)
Sandwell MBC - Councillor Kerrie Carmichael (Voting), Shokat Lal
Walsall MBC – Councillor Mike Bird (**Chair person**) (Voting), Shaun Darcy (sub)
City of Wolverhampton Council - Tim Johnson

INVITED GUESTS – in person or via Teams

City of Wolverhampton Council - Councillor Steve Evans (sub) (Non-Voting)
City of Wolverhampton Council - Richard Lawrence
Dudley MBC – Helen Martin
Walsall MBC – Kelly Valente

1. Apologies

Emma Bennett, Walsall.
Councillor Stephen Simkins, Wolverhampton
Kevin O’Keefe, Dudley

2. Notes of Meeting held on 21 June 2023

Decision Number 24/0001

Councillor Bird confirmed that it was Resolved that the minutes of the meeting held on 21 June 2023 be confirmed as a true record.

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

None.

4. Declarations of Interest.

None.

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

There were no items in private session.

6. Black Country Executive Joint Committee Governance Changes : LEP Assurance Framework change control and delegated authority

Shaun Darcy referred to the report previously circulated and explained that the report covers removing the current delegations from the Heads of Regeneration Working Group and providing new delegations to the Single Accountable Body (SAB) Section 151 officer (S151). The new delegations are very minor delegations detailed in Section 3.7, Table 1 of the report. The delegations will reduce the number of meetings required by the Black Country Executive Joint Committee as the SAB S151 officer will be able to make re-profiling and reallocating decisions along with output and outcome decisions. Some (but not all) of the new delegations will require consultation with the other three Black Country S151 officers where indicated in the table. The delegations will be reviewed annually prior to the BCJC AGM where the Constitution and delegations can be discussed if needed.

Decision 24/0002

Councillor Bird moved the recommendations that were put to the vote by way of a show of hands of BCJC members. The motion was subsequently declared carried and it was Resolved (unanimously) that the Joint Committee:

approve BCJC Delegated Authority to Walsall Council's Section 151 Officer (SAB s151 officer) as set out in Table 1 (paragraph 3.7), in consultation with the other three Black Country Section 151 Officers (BC s151s) where indicated.

approve that the Black Country Local Enterprise Partnership (BCLEP) Assurance Framework be amended to reflect the delegations, as per the BCLEP Assurance Framework Appendix 23 attached to the report.

7. Land and Property Investment Fund (LPIF)

- a) Project withdrawal: Dudley Brownfield Land Programme**
- b) Project recommendation: Loxdale residential scheme**
- c) Programme management costs approval.**

Kelly Valante referred to the report previously circulated and explained that the Dudley Brownfield Land Programme project was no longer able to meet the timescales and therefore unable to spend its grant allocation of £1,0040,000. Local Authorities were asked to submit a replacement project for the Land and Property Investment Fund grant.

Wolverhampton City Council submitted the Loxdale Residential Scheme proposal that will provide redeveloped land for an estimated 112 new homes. The Loxdale Residential Scheme is a circa £5.6m development in the heart of the Loxdale community, Wolverhampton, with close proximity to the city's transport links and public amenities. The project proposes to relocate the taxi licencing service from the Loxdale site, owned by the City of Wolverhampton Council, as part of its asset transformation programme to consolidate, rationalise and optimise service delivery in its buildings. This in turn would unlock the land occupied by the former Loxdale Primary School for redevelopment of the 'brownfield site' for key worker and family housing. The LPIF grant support is sought to address an initial phase of the applicant's submitted viability assessment for redevelopment. The proposed package

of funding will enable Wolverhampton City Council to undertake part demolition and addressing underlying mineshafts and mineworkings to the existing Loxdale Primary school site, part-site remediation and servicing, and supporting relocation of its service provision in taxi licencing from the school premises. The site preparation will need to be phased. It is understood that an application to West Midlands Combined Authority (WMCA) is for grant support to the final phase of site preparation works and for financial support to the procured developer to deliver 112 proposed housing outcomes.

Together with Wolverhampton City Council's resources totalling £1,621,000, grant support of £1,000,000 is being requested from LPIF, with £2,950,000 further funding sought from WMCA. The requested LPIF would be subject to the conditions detailed in section 3.11 of the report.

The project has a good fit with Black Country, WMCA and Wolverhampton City Council priorities and is considered to provide an 'acceptable' value for money for LPIF grant support.

Councillor Evans confirmed that Wolverhampton support this project and recently attended a West Midlands Combined Authority (WMCA) meeting where Councillor Courts the Portfolio Lead for Housing and Lane at WMCA advised that the funding from the WMCA was available and ready to be granted.

Kelly also advised that the balance of £40,000 is proposed to be allocated to the Accountable Body programme management budgets. This would cover additional due diligence and contracting costs associated with the replacement of a project given that similar costs associated with the Dudley Brownfield Land project are now abortive. The additional budget will cover external charges related to technical appraisal and due diligence, legal, and subsidy control compliance advice plus staff resource required for contracting.

Decision 24/0003

Councillor Bird moved the recommendations that were put to the vote by way of a show of hands of BCJC members. The motion was subsequently declared carried and it was Resolved (unanimously) that the Joint Committee:

Approves of the withdrawal of £1,040,000 allocated to the Dudley Brownfield Land project (Dudley Council) from within the LPIF Programme, as outlined in paragraph 3.1 of the report.

Approves for the Accountable Body for the LPIF (Walsall Council) to proceed to enter into a Grant Agreement with Wolverhampton City Council for £1,000,000, to deliver the LPIF funded elements of the Loxdale Residential Scheme project, subject to the funding conditions outlined in paragraph 3.11, with project delivery to commence in the 2023/24 financial year.

Approves for £40,000 of the remaining balance of LPIF funds to be allocated to Accountable Body programme management costs, to cover additional due diligence and contracting costs associated with the replacement of a project.

The meeting closed.

**REPORT OF THE HEADS OF REGENERATION WORKING GROUP TO
THE BLACK COUNTRY EXECUTIVE JOINT COMMITTEE ON
19 JUNE 2024**

**BCJC Programmes: BCLEP legacy funds year-end position at
2023/2024**

Report for Noting

Key Decision:	No
Forward Plan:	Yes

1. PURPOSE OF REPORT

To provide an update on the Black Country Local Enterprise Partnership (BCLEP) legacy funds following the end of the 2023/2024 financial year, and to summarise decisions already made via Black Country Joint Committee (BCJC) Delegated Authority to Walsall Council's Section 151 Officer.

2. RECOMMENDATIONS

- 2.1 To note the update on each BCLEP legacy funds at 31 March 2024, as set out in this report.
- 2.2 To note decisions taken by Walsall Council's Section 151 Officer, through Black Country Joint Committee (BCJC) Delegated Authority, as set out in Appendix A.

3. REPORT DETAIL

- 3.1 From 1 April 2023, due to the abolition of the BCLEP and voluntary winding down of Black Country Consortium Ltd (BCC), the continued management and monitoring of BCLEP legacy funds became the responsibility of the Black Country Local Authorities (BCLAs). It was agreed that these will be continued to be managed locally by Walsall Council, as the BCLEP's Single Accountable Body (SAB). Notwithstanding that the BCLEP ceased to exist after 31 March 2023, the Assurance Framework continues to apply to define and regulate the respective roles and responsibilities in so far as it remains applicable.
- 3.2 The BCJC Collaboration Agreement, the legal agreement which sets out Black Country ways of working, has also been updated to reflect the management of legacy funds for these new arrangements, with new Delegated Authorities issued to the SAB s151 officer (on 24/01/2024, Dec. no. 24/0002) in consultation with the other three Black

Country Section 151 Officers where indicated. This is set out in the Assurance Framework ‘Change Control and Delegated Authority’.

- 3.3 This report details the final position of all BCLEP legacy funds at 31 March 2024. BCLEP legacy funds status is based on actual spend & outputs achieved to date including changes approved by the BCJC Delegated Authority (decisions listed in Attachment 1 to this report).

Local Growth Fund (LGF)

- 3.4 The LGF was awarded to the BCLEP and administered in 2015, as a competitive capital programme. The fund was successfully fully spent by the Government’s deadline of March 2021.
- 3.5 The Programme is now in performance monitoring stage, as there are several projects still delivering outputs. The overall position is set out in Tables 1 & 2 below.

Table 1. LGF Outputs

Output	LGF Targets	Grant agreement Forecast	Claimed & Verified	Variance to Grant agreement
Commercial Floor Space Constructed (Sqm)	39,244	86,743.75	88,709.64	1,965.89
Business Assists	3,200	2,744	1,732.42	-1,011.58
Housing Units Completed	2,536	1,617	1,610	-7.00
Jobs Created*	6,384	9,336.96	10,413.00	1,076.04
Learner Assists	8,984	13,827	14,684	857.00

* Includes Apprenticeships

Grant agreement Forecasts means the sum of all outputs per funding agreements with grantees.

- 3.6 There is a forecast shortfall of Business Assists and Housing against both the LGF targets and Grant Agreements forecasts; these continue to be monitored, claimed, and verified by the SAB. These are offset by forecast over-achievements of remaining output types and have been reported to Government who have raised no significant concerns.

Table 2. LGF Match funding

Match Funding	Grant agreement Targets	Claimed & Verified	Variance
Capital	£602,107,412.45	£641,546,504.97	£39,439,092.52
Revenue	£29,310,163.92	£33,993,768.06	£4,683,604.14
TOTAL	£631,417,576.37	£675,540,273.03	£44,122,696.66

- 3.7 LGF supported a number of flagship projects such as:
- Project i9, Wolverhampton: 4,589 sqm of commercial floorspace constructed, securing creation of 250 new jobs. The scheme has directly supported the delivery of local, regional, and national economic strategies, specifically by creation of new high quality employment land to meet the needs of businesses.
 - Growing Priority Sectors, Sandwell: The project supported capital growth in 58 enterprises, constructed 9,443 sqm of commercial floorspace and created 880

jobs. It has enabled businesses in target aerospace, automotive and construction sectors to grow and to exploit the supply chain opportunities.

- Improving Engineering Capacity, Walsall College: The investment enabled the college to purchase equipment for a high specification facility to service the gap between supply and demand for the practical engineering skills, creating 249 apprenticeships and 1,272 learner assists. Through upskilling young people and unemployed adults, it has brought benefits to Black Country region employers in filling recruitment positions in the essential engineering skills.
- Dudley Brownfield Land Programme: this scheme remediated 6.50 hectares of land on 9 separate sites and delivered 202 residential housing units of which 107 were affordable homes.

Getting Building Fund (GBF)

3.8 The GBF comprised of two projects: National Brownfield Institute Phase 2 (University of Wolverhampton) and Very Light Rail National Innovation Centre (Dudley Council). The grant was fully spent by the deadline, with remaining outputs within their grant agreements being monitored and verified by the SAB.

3.9 All outputs claimed feed into West Midlands Combined Authority (WMCA) GBF programme target for the West Midlands, as there is no Black Country target within the Black Country contract with the WMCA.

3.10 Note that on 16 April 2024, the SAB met with consultants appointed by the Government to share data relating to potential evaluations of GBF & LGF programmes.

3.11 The overall GBF Programme position is set out in Table 3 below.

Table 3. GBF Outputs

Output	Total Grant Agreement Profiles ****	Actual outputs to date	Variance
Jobs Created	351	8.0	-343
Construction Jobs	145	427.0	282
Housing Units Unlocked/starts	588	111	-477
Housing Units Delivered	0	0	0
Sqm commercial floor space	8383	8,390	7
Number of businesses or institutions assisted*	384	124	-260
Number of New Learners Assisted**	466	262	-204
Number of Retrofit units***	100	1434	1,334
Apprenticeship starts	610	0	-610
Area of Land remediated (ha)	246	6.4	-240

* Includes 84 indirect Business Assists and 50 indirect micro-Business Assists (min. 1 hour intervention)

** Includes 100 indirect bite size learner assists (approx. 2 hours support)

*** Support provided by the University to enable retrofit units

**** Note ongoing negotiations with VLR NIC regarding deliverability of project outputs (change request to be submitted)

Land and Property Investment Fund (LPIF)

3.12 The LPIF incurred and claimed expenditure of £43.7m up to 31 March 2024 from the WMCA, and has supported a number of flagship projects such as:

- Project Spark: the remediation of 18 hectares of brownfield land will complete in summer 2024, with Walsall Council's delivery partner, HBD, set to begin the construction of 57,500 sqm of high-quality employment floorspace later in the year. This is a key strategic employment development site capable of attracting major investment leading to significant job creation.
- Goscote Lane: project has remediated 8.8 hectares of land and delivered 191 of the 268 housing units forecast.
- i54 Western Extension: project has remediated 24 hectares of land for the delivery of high-quality floor space with 24.5k sqm delivered to date of the 100,000 sqm and will create several hundred jobs in the region.

3.13 The programme is forecasting spend beyond the LPIF end date contracted with WMCA due to the complexity of schemes development and subsequent remediation work. In addition, the covid pandemic contributed to slippage, impacting work schedules and delays in business case development and subsequent funding allocations. Some projects have only recently been contracted following the winding up of the BCLEP, plus the Dudley Brownfield Land Programme was replaced by the Loxdale Residential Scheme due to the former project being unable to deliver within the required timescales.

3.14 As the programme is now fully committed, to ensure that all grant commitments can be funded, and contracted (and non-contracted) outcomes captured, Walsall Council has submitted a Change Request to the WMCA to:

- Extend project spend profile from March 2025 to March 2026.
- Extend output / outcome delivery from March 2025 to March 2027.
- Extend Programme Management budgets from March 2026 to September 2027 to cover evidencing, reporting and closure.

Note: the budgets associated with the Change Request remain within the overall funding allocation £53,040,000. The Change Request is due to be presented to the WMCA Investment Panel on 3 June 2024 and the Investment Board on 24 June 2024.

3.15 The financial profiles and outputs as submitted in the Change Request are set out in Tables 4 – 7 below.

Table 4. Proposed LPIF Grant profile

LPIF	2017-2023	2023/24	2024/25	2025/26	2026/27	2027/28	Total
	(actual)	(actual)	(forecast)	(forecast)	(forecast)	(forecast)	
Projects	£26,579,222	£15,77,415	£6,277,564	£2,931,887	£0	£0	£51,513,088
Programme Mnt	£1,230,096	£106,502	£70,314	£60,000	£40,000	£20,000	£1,526,912
Total	£27,809,318	£15,880,917	£6,297,878	£2,991,887	£40,000	£20,000	£53,040,000

Table 5. LPIF Forecast - Match funding profile

Match Funding	2017-2023	2023/24	2024/25	2025/26	Total
	(actual)	(actual)	(forecast)	(forecast)	
Total	£52,102,547	£15,299,954	£49,435,808	£23,395,888	£139,234,197

Table 6. Contracted LPIF Outputs/Outcomes

Description	WMCA Contract	Profiled to Mar 25	Profiled to Mar 27	Achieved to date
Outputs				
hectares of Land Remediated - Direct	46.00	60.820	63.860	37.97
hectares of Land Remediated - Indirect		5.580	5.580	
Outcomes				
Jobs Created - Direct	1,800	9	9	9
Jobs Created - Indirect		1,826	2,926	6
Housing Units - Direct	1,150	608	608	326
Housing Units - Indirect		0	317	3
M2 Commercial Floorspace	126,000	112,672.5	170,178	37,216

3.16 As shown in the tables, although the direct housing units will not be achieved (mainly due to black country residential schemes being redirected to specific regional housing funds), this is compensated by:

- (a) over achievement of area of remediated land, jobs created and commercial floorspace to be delivered; and
- (b) the fund supporting an additional 317 housing units claimed through other funding packages.

In addition to this, the programme has generated or is forecast to generate other non-contracted outcomes as set out in Table 7.

Table 7. Additional Outcomes

Outcome	WMCA contract	Profiled to March 2025	Profiled to March 2027	Achieved to date
Learner assists	0	391	391	391
Construction Jobs	0	1,480	1,841	280
Degree Level courses	0	5	5	5
Total length of resurfaced roads (km)	0	0	0.6	0
Business Assists	0	0	7	0

3.17 The LPIF also funded the “*Music Institute*”- *Cable Plaza* project. Funding of £7,159,551 was awarded to Birmingham Institute of Contemporary Music Performance Ltd (BICMP) for the purchase and refurbishment of the Cable Plaza building (BCJC 13/09/2017). As a relatively unique project, it was designed to meet a gap in the provision of educational courses within the music industry, with a focus on providing skills relevant to needs of employers and private industry, extending beyond academia offered by many of music/ academic institutions.

3.18 BICMP are now facing challenges and are requesting a significant reduction of contractual outputs, and a disposal of the site with a proposed leaseback to BICMP (to enable achievement of the remaining, reduced, outputs). Under the terms of the BICMP Grant Agreement, a disposal of the site triggers overage provisions, which will have detrimental impact on BICMP continuing trading/achieving output targets, hence may have financial implications for Dudley Council who underwrote the grant. The SAB have consulted with Dudley Council, and subsequently gave our consent to a disposal subject to a review of overage terms. Advertising of the site sale has commenced but no potential buyers are identified at this stage.

3.19 The Accountable Body is working with BICMP and Dudley Council to understand the implications or reducing outputs before taking any changes through the appropriate governance. No future outputs associated with Music Institute have been assumed within the Change Request submitted to the WMCA for prudence.

BCLEP Reinvestment Fund

3.20 The BCLEP Reinvestment Fund was established to capture recycled investments from other LEP grants, such as from overage, Growing Places Fund loan repayments and the BDUK Broadband gainshare returns.

3.21 The BCJC Collaboration Agreement set out that any unallocated Reinvestment Fund balance would be split equally between each Local Authority, who should use these funds for the purposes for which such funds were originally intended when granted (for example, the BCLEP agreed that the broadband gainshare payments should be ringfenced for digital reinvestment), or otherwise to promote economic growth and development.

3.22 Table 8 below summarises the position of the BCLEP Reinvestment Fund, noting that the only unallocated balance is the BCLEP Digital Fund.

Table 8. BC LEP Reinvestment Fund overview

Funding element	Opening Balance 23/24	Less Claimed/ distributed in Year	Plus Received in Year	Closing Balance 23/24
BC LEP Digital Fund*	£994,372	£1,001,096	£1,359,436	£1,352,712
BC LEP Investment Fund*	£1,095,580	£1,095,580		£0
Growing Places Revenue Funds*	£123,091	£123,091		£0
Allocated - GPF Spring Rd., Wolverhampton	£1,196,154	£1,153,695		£42,460
Allocated - GPF Willenhall Garden City Ph 1	£1,166,585	£0		£1,166,585
Allocated - SAB Programme management	£405,276	£91,586		£313,690
Total	£4,981,058	£3,465,048	£1,359,436	£2,875,447

*£554,942 Legacy funds distributed to each BC LA in 23/24

Black Country Enterprise Zone (BCEZ)

3.23 On 21 June 2023 the BCJC approved that the BCEZ will continue to be managed by Walsall Council as a consolidated fund, but on 1 April 2025 the BCEZ will revert to the area of its geographical origin and be managed and administered by the relevant Local Authority.

3.24 Since this decision, there has been no capital investment claimed other than £0.5m Wolverhampton legacy i54 costs, although it is anticipated that a funding request for the development of the EZ Gasholders site will be brought to BCJC in September 2024. As set out in the BCJC Collaboration Agreement, the Gasholder project will be funded from the Wolverhampton business rate surplus capped at £14.898m, and subject to a business case and a profile to be agreed between Walsall and Wolverhampton Councils.

3.25 The actual surplus collected at 31 March 2024, plus forecast surpluses to both 31 March 2025 (when the BCEZ reverts to each Local Authority) and the end of the BCEZ are set out in Table 9 below.

Table 9. Summary of actual and forecast BCEZ surpluses

Local Authority	31-Mar-24 £m (actual)		31-Mar-25 £m (forecast)	End of BCEZ £m (forecast)
	Before shared cost allocation	After shared cost allocation	After shared cost allocation	After shared cost allocation
Wolverhampton	6,492	6.155	7.521	51.02
Walsall	-1.596	-1.932	-3.049	3.213
Dudley	1.798	1.461	2.408	17.151
Sandwell	-0.707	0	0	0
Shared costs*	-0.303	0	0	0
Total	5.684	5.684	6.879	71.384

*Shared costs comprise of transport director costs, Black Country Consortium PMO costs and SAB costs

BCEZ Pipeline Development grant

3.26 The BCEZ Pipeline Development grant, awarded to each BC LA until March 2025, has been utilised with each individual BC LA grant expenditure position set out in Table 10.

Table 10. BCEZ Pipeline Development grant

Local Authority	BCEZ Award	Actual Claimed to 31 March 2024	Forecast 2024/25	Total Claim (Actual + forecast)
Dudley	£1,250,000	£910,053	£250,000	£1,160,053
Sandwell	£1,250,000	£707,378	*£253,059	£960,437
Walsall	£1,250,000	£1,000,000	£250,000	£1,250,000
Wolverhampton	£1,250,000	£1,000,000	£250,000	£1,250,000

**includes a carry forward request from prior year

4. BENEFITS COST RATIO (VALUE FOR MONEY)

The formula developed by BCC's Economic Intelligence Unit continues to be used for consistency to calculate a high level BCR for Change Requests received by SAB and considered via BCJC Delegated Authority (see Attachment 1). BCC methodology includes public sector costs only, excluding private sector match. A full economic appraisal and quantification of benefits would be required to complete a more accurate BCR.

5. FINANCIAL IMPLICATIONS

5.1 There are no additional costs associated with the recommendations in this report.

- 5.2 The change request submitted to WMCA addresses LPIF programme delivery extension (no change to values, just re-profiles) to ensure all grant commitments can be funded and contracted (and additional non-contracted) outcomes can be captured.

6. LEGAL IMPLICATIONS

The grant agreements will be varied to capture Delegated Authority decisions as set out in the Attachment 1, as necessary. The SAB will utilise existing BCJC governance processes and procedures to implement changes, which will be in consultation with legal and financial services input, advice, and approval, as required.

7. RISK MANAGEMENT

- 7.1 BCLEP legacy funds risks are managed through the on-going monitoring of programmes position and of individual projects, their ability, and the most recent forecasts, to deliver contracted outcomes and spending profiles.
- 7.2 The risk of non-delivery of individual projects contracted outcomes is managed through grant agreements, which have robust mechanisms set in place to mitigate it, such as underwriting and clawback provisions.
- 7.3 The risk of LPIF projects not meeting spending profiles is managed by ensuring projects' claims and forecasts are up to date and prudent and is mitigated by requesting new delivery profiles to be agreed by WMCA.
- 7.4 The risk of BCEZ surpluses forecasts not being achieved is managed and offset by prudent modelling, which includes provisions for bad debts, rates relief and general contingency.
- 7.5 Individual projects change requests follows the agreed process of the Delegations and Tolerances, which are adhered to and reported on. Risk is managed through the consultation process for Delegated Authority, ensuring that appropriate stakeholders are notified and consulted as required.

8. EQUALITY IMPLICATIONS

None at the time of drafting.

9. CONSULTATION

None at the time of drafting.

Background papers

1. BCLEP Assurance Framework, Appendix 23 '*Change Control and Delegated Authority*'.
2. LGF Elite Centre for Manufacturing Skills (University of Wolverhampton) Change Request.
3. LGF Elite Centre for Manufacturing Skills Delegated Authority authorisation.
4. GBF National Brownfield Institute Phase 2 (University of Wolverhampton) Change Request.
5. GBF National Brownfield Institute Phase 2 Delegated Authority authorisation.
6. Sandwell Metropolitan Borough Council BCEZ Development grant Change Request.
7. BCEZ Sandwell Pipeline Development Grant Delegated Authority authorisation.

Attachments

Appendix A – BCJC Delegated Authority decisions for noting.

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Appendix A – BCJC Delegated Authority Decisions for Noting

Loal Growth Fund (LGF)

1. Elite Centre for Manufacturing Skills (Grantee: University of Wolverhampton):
 - Jobs Created outputs target reduced (68 to 18), this is to address administrative (cumulation) error while progressing a previous project change request.
 - Business Assists output target reduced (365 to 300) as this is no longer achievable by the target date of 31.03.2025 (extended end date for outputs monitoring for Growth Deal programme).
 - Revised Benefit Cost Ratio (BCR) is at 10.35 : 1 (above 1.5 : 1 hence change request approved by Walsall Council's Section 151 officer only).

Jobs Created and Business Assists are core contracted outputs of the LGF. The programme outputs currently are underachieved however there is confidence based on the remaining projects progress reporting forecasts that programme targets will be met, noting the time until 31 March 2025 to evidence and report remaining outputs. On review the current overall target of 365 Business Assists may not be achievable by March 2025. University proposed a reduction of -65 to reduce this to 300 which is a more realistic target (see Table 1). There is potential to achieve more substantial meaningful 8hr Learner Assists delivered by academics as well as the minimum bitesize 1hr learning and offset this with a reduction in the Business Assists.

Table 1. Elite Centre for Manufacturing Skills: revised Outputs targets (University of Wolverhampton)

Outputs (direct)	Original Profile	New Profile
Learner Assists (exc. apprenticeships)	3038	n/a
Apprenticeship starts	412	n/a
Apprenticeship achievements	286	n/a
Jobs created	67	18
Business Assists	365	300

Gettig Building Fund (GBF)

2. National Brownfield Institute Phase 2 (Grantee: University of Wolverhampton):
 - National Brownfield Institute (NBI) Phase 2 project outputs targets and outcomes were originally anticipated to be delivered by 31.03.2031. Following change in delivery timeframe (funder, West Midlands Combined Authority, confirmed to the SAB the cut-off date of 31.03.2025 for the programme outputs

delivery monitoring) the contractual targets are now aligned with the programme end date of 31.03.2025.

- Revised BCR (on all outputs) is at 2.3: 1; Revised BCR on direct outputs only is at 1.7: 1. (above 1.5 :1 hence approved by Walsall Council's Section 151 officer only).

University has carried out the review and reduced forecasted profile of the direct contracted output of the Business Assists to 31.03.2025, and to supplement the reduction proposes 50 new direct Learner Assists; agreed additional outputs inclusion/ delivery is proposed to supplement the reduced targets (see Table 2).

Table 2. National Brownfield Institute Phase 2: Revised Outputs targets (University of Wolverhampton)

Outputs (direct)	Original Profile [to 31.03.2031]	New Profile [to 31.03.2025]
Jobs Created	10	10
Number of enterprises receiving non-financial support	1,000	217
Commercial floorspace constructed (sqm)	1,341	2,828
Number of Learners Assisted (New)	0	50

NB: Prior to concluding a project variation this change request will need to be agreed with WMCA. The GBF programme was awarded to the LEP's to administer, by the Ministry of Housing, Communities and Local Government (MHCLG) now known as DLUHC, but via the Combined Authorities where applicable. For the BC LEP and its SAB are managing the funds, however the programme is in a back-to-back contract with the WMCA, who report to DLUHC on the progress of the Programme.

Enterprise Zone (BCEZ)

3. Sandwell Metropolitan Borough Council BCEZ development grant:
 - BCEZ Development Grant reallocation between existing projects (up to the original grant allocation) requires SAB s151 approval only, as the LEP Funding Sub-Group (LEP FSG) agreed to more flexibility for Local Authority (LA) to spend on priority projects. Sandwell have been unable to progress West Bromwich & Smethwick Delivery Strategy at the planned pace, but progressed other unfunded pipeline projects including Chances Glass Works, West Bromwich Hotel Feasibility Study; Gifford Recycling; and Brandhall.
 - Grant spend re-profiles requires consultation with all BC s151s due to the potential impact of permitting carry forwards on BCEZ surpluses returned to each LA on 31 March 2025. Sandwell have successfully spent £441,055 of their allocation, requesting that £3,059.27 be carried forward to financial year 2024/25, and the unfunded pipeline projects are funded through the capacity funding. It has been agreed unanimously by all BC s151s.

Table 3. Sandwell Metropolitan Borough Council BCEZ Pipeline Development Grant Profile.

BCEZ Grant A	2021/22 £250,000	2022/23 £250,000	2023/2024 £250,000	2024/2025 £250,000
Profile	£0 B	£266,323 C	£444,115 D	£250,000
Revised Profile	£0	£266,323	£441,055	£253,059

A - BCJC agreed BCEZ revenue costs Grant of £250,000 per annum for 5 years commencing 2020/21, for all BC Councils to develop their BC Pipeline priority scheme (on 09/12/2020, Dec. no. 20/0079).

B - BCLEP Board approved Sandwell's BCEZ Development Grant 2021/22 financial year annual allocation of £250,000 carry forward to 2022/23 financial year at its meeting on 16th May 2022.

C - BCLEP Board approved Sandwell's BCEZ Development Grant 2022/23 financial year underspend of £194,115 carry forward to 2023/24 financial year at its meeting on 13 March 2023.

D - BCJC Delegated Authority (unanimous) for £3,059.27 be carried forward to financial year 2024/25, and the unfunded pipeline projects are funded through the capacity funding.

**Report of the Secretary to the Black Country Executive Joint
Committee on Wednesday 19 June 2024**

Revised Constitution and Timetable of meetings 2024/25

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 refers to future meeting dates and forward plan publication dates.

2. RECOMMENDATIONS

The Black Country Executive Joint Committee (BCJC) is requested to:

- 2.1 Note the Black Country Executive Joint Committee Constitution (**Appendix A**) has now been updated to include the replacement Delegation approved at the meeting of the BCJC on 24 January 2024.
- 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 2024/25 as set out in **Appendix C** of the report.
- 2.4 Agree that from June 2024, the Black Country Executive Joint Committee will no longer have a 12 month schedule of meetings but will meet in June each year and also any other time requested by its Members subject to the provisions in the Constitution.

3. 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 24 January 2024 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 2024/25. 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 2024/25. Following the BCJC meeting on 24 January 2024 that approved the changes to Delegations, ABCA Chief Executives and Leaders have considered the purpose of BCJC moving forwards as all but the Enterprize Zone funding streams have now come to an end.

This report recommends that the BCJC would still meet at least once a year as there is a requirement for the LEP Legacy funding streams to be reported and monitored for a few years yet, although delegations have been given to our Section 151 Officers to make any small changes to ensure that programmes are completed full BCJC meetings are therefore not required.

This report recommends that BCJC would no longer have a 12 month schedule of meetings but would have an agreed Annual General Meeting date set in June each year. Again, additional BCJC meetings can be called when required as there is provision within the BCJC Constitution for this purpose.

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.

Background papers

- BCJC Report 24 January 2024 – 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 2024/25

Contact Officer & Author

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Black Country Executive Joint Committee
Dudley, Sandwell, Walsall and Wolverhampton

BLACK COUNTRY EXECUTIVE JOINT COMMITTEE

CONSTITUTION

Adopted on 26 March 2014

And updated in June 2023

And updated in June 2024

1. Establishment

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. Membership, voting and quorum

- 2.1 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.
- 2.2 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.
- 2.3 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.

- 2.4 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.
- 2.5 That the relevant Standing Orders for BCJC are those of Walsall Metropolitan Borough Council.

3. Chairperson

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.

4. Secretariat

- 4.1 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.
- 4.2 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.

5. Frequency of the Committee meetings

- 5.1 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.
- 5.2 The BCJC shall meet as agreed at its AGM.
- 5.3 However a meeting of the BCJC may be convened at any time by the Secretary in consultation with the Chair for the meeting.
- 5.4 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.

- 5.5 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.

6. Bringing reports to the Committee meetings

- 6.1 The Single Accountable Body will be responsible for transferring the Heads of Regeneration Working Group reports to the Joint Committee report templates once they are approved in the format provided for in the BCJC Protocols document.
- 6.2 All other reports from any subcommittee and or Council will also take the form as set out in BCJC Protocols document.
- 6.3 The Senior Project Officer supported by the relevant Senior Responsible Officer/Head of Regeneration from the Local Authority, will present reports regarding funding at meetings of the BCJC on matters relating to BC LEP Legacy Funds.

7. Delegations

- 7.1 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 B** lists delegations to officers.
- 7.2 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.

Functions of the 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 Black Country Local Enterprise Partnership Legacy Funds
- 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 matters in relation to the Black Country Local Enterprise Partnership Legacy funds.
 - 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 all BC LEP Legacy Funds 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 ensuring that business views are taken on board and that growth plans are reflected in strategic priorities;
- 4.8 Deciding on capital expenditure programmes and ensuring policy and programmes are delivered effectively through partners;

Delegation of Authority to the
Walsall Council's Single Accountable Body Section 151 Officer

1. At its meeting on 24th January 2024, the Black Country Executive Joint Committee (BCJC) agreed to cease the existing Delegated Authority in place to the Chair of the Heads of Regeneration Working Group and to replace with simpler new Delegated Authorities to Walsall Council's Section 151 officer in his role as the Single Accountable Body Section 151 Officer (SAB s151 officer).

2. Below are the delegated authority thresholds to the SAB s151 officer;
 - 2.1 Re-profiling of finances and outputs within funding end dates/programme lifetime
Consultation - SAB s151 officer only
(except for the Black Country Enterprise Zone (BCEZ) £250k Pipeline Development Grant spend re-profiles which would be in consultation with all Black Country Section 151 officers (BC s151s) due to the potential impact of permitting carry forwards on BCEZ surpluses returned to each Local Authority (LA) on 31 March 2025)

 - 2.2 Reallocation of funds between existing projects/funding sources (up to the original grant allocation)
Consultation - SAB s151 officer in consultation with other BC s151 officers*
(except for projects within the BCEZ £250k Pipeline Development Grant revenue grant for which the delegation is to the SAB s151 only, given the LEP Funding Sub-Group (LEP FSG) agreed to more flexibility for LA to spend on priority projects as they see fit at its last meeting)

 - 2.3 Reduction of outputs:
 - 2.3a If no material impact on programme outputs, and impact on Benefit Cost Ratio (BCR) doesn't take it below 1: 1.5 points
Consultation - SAB s151 officer

 - 2.3b If material impact on programme outputs or impact on BCR brings it lower than 1:1.5 points
Consultation - SAB s151 officer in consultation with other BC s151 officers*
If all agree - report to Association of Black Country Authorities (ABCA), otherwise, requires BCJC approval.

 - 2.4 Reduction of funding and release back into a competitive pot:
 - 2.4a If due to underspend, and project supports decision in writing
Consultation - SAB s151 officer only

 - 2.4b If project does not support the decision
Consultation - SAB s151 officer in consultation with other BC s151 officers*

 - 2.5 Increase on intervention rate in relation to match funding:
 - 2.5a <5%
Consultation - SAB s151 officer

 - 2.5b >5%
Consultation - SAB s151 officer in consultation with other BC s151 officers*

2.6 Immaterial changes
Consultation - SAB s151 officer

* Denotes that all s151 officers must unanimously agree with a decision, otherwise decisions would need to go to BCJC for approval.

3. When delegations are to be used, an email will be sent to all Leaders (cc Chief Executives) advising that the delegation is to be used and giving a summary of the matter for awareness. The delegations will be reviewed annually, as part of and in line with the Assurance Framework review undertaken by the SAB.

4. BCJC approval will still be required in the following instances:

4.1 Project(s) withdrawal due to identified due diligence issue meaning SAB cannot contract.

4.2 New funding decisions or where underspend on programmes need allocating to new project(s).

Note that:

- a) in the delegations, s151s make the decision to reduce/release the funding for redistribution, but BCJC will make the decision on the award to a new project;
- b) exception is the new projects funded by the BCEZ £250k Pipeline Development Grant revenue grant, which is delegated to SAB s151 only.

4.3 If BC s151 delegated decisions are not unanimous.

4.4 For any governance changes to BCJC, including to widen the scope of BCJC decisions to new funding awards/ programmes, to agree accountable/ lead authorities or delegations, etc.



Black Country Executive Joint Committee
Dudley, Sandwell, Walsall and Wolverhampton

PROTOCOLS

For the management of the
Black Country Executive Joint Committee

Updated June 2024

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1. **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**.

ITEM 8b

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 Senior Project Officer supported by the relevant 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. Walsall Council's Section 151 officer in his role as the Single Accountable Body Section 151 Officer (SAB s151 officer) has a range of delegated authorities. Details of these delegations are contained within the BCJC Constitution Annex B.
17. Should Delegated Authority be used, the Single Accountable Body Section 151 Officer should email all Leaders (cc Chief Executives and the BCJC secretariat at chiefexecutive@walsall.gov.uk) advising that the delegation is to be used and giving a summary of the matter for awareness.
18. The delegations will be reviewed annually, as part of and in line with the Assurance Framework review undertaken by the SAB.
19. These protocols will apply without exception to all meetings of the BCJC.

2. 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.
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 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.

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

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 Head of Regeneration sponsoring the Decision 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.

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.

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

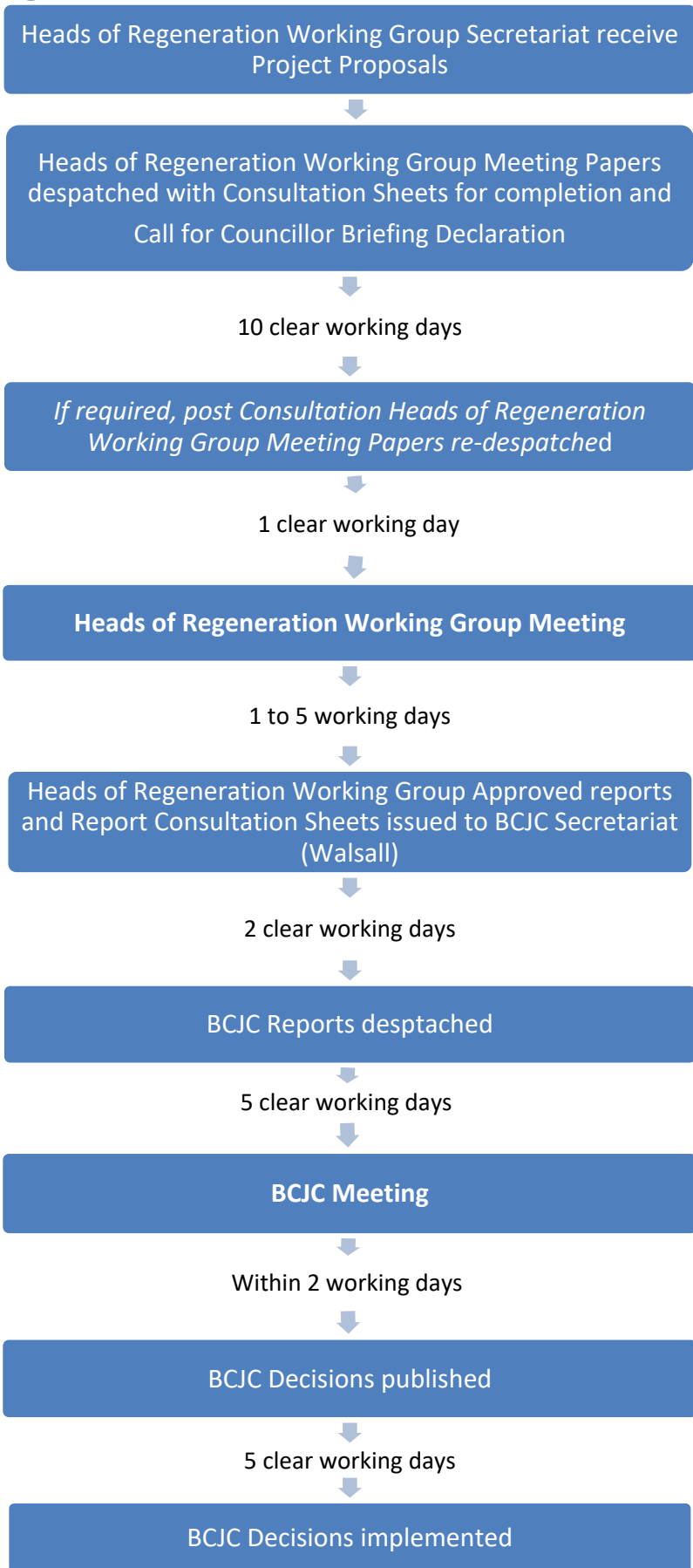
1. When a decision is made by the Black Country Executive Joint Committee (BCJC) that decision will be published within two working days by the Secretariat (Walsall).
2. All Members of BCJC will receive decisions electronically via email and copies will also be placed on the website.
3. The decision 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 : www.walsall.gov.uk](http://www.walsall.gov.uk) or by following this link [Black Country Executive Joint Committee Forward Plan](#)

Report of the Heads of Regeneration Working Group (or Council)
to the 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.

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.

Attachments

List any attachments that will accompany the report, if no attachments are required, state 'None'

Report Author - (insert name and contact details)

Senior Responsible Officer (SRO) - (insert name and contact details)

Sponsoring Senior Responsible Office (SSRO) - (insert name and contact details)

**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	
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Key Decision	YES/NO*	Included in the Forward Plan	YES/NO*
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*DELETE AS APPROPRIATE

Consultation

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

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

Approval

Responsible Director Name	Signature	Date

Comments	
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SRO / SSRO Name	Signature	Date

Comments	
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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 (Walsall) via email at jcst@walsall.gov.uk 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 via email at 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 Key Decisions

Published up to (date)

Date Created	Key Decision	Contact Officer	Main consultee	Date of meeting

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.

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

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

Chief Executive of Walsall Council
And
Secretary to the Black Country Executive Joint Committee
ChiefExecutive@walsall.gov.uk

FORWARD PLAN PUBLICATION DATES

August 2024 – August 2025

September 2024 – December 2024 published on	05 August 2024
October 2024 – January 2025 published on	02 September 2024
November 2024 – February 2025 published on	07 October 2024
December 2024 – March 2025 published on	04 November 2024
January 2025 – April 2025 published on	02 December 2024
February 2025 – May 2025 published on	06 January 2025
March 2025 – June 2025 published on	03 February 2025
April 2025 – July 2025 published on	03 March 2025
May 2025 – August 2025 published on	07 April 2025
June 2025 – September 2025 published on	06 May 2025
July 2025 – October 2025 published on	09 June 2025
August 2025 – November 2025 published on	07 July 2025
September 2025 – December 2025 published on	04 August 2025