



20th November 2017 at 3.00pm
NMC, 47 Birmingham Road, West Bromwich, Walsall

Present: Stewart Towe Chair;
Andy Cox Cox & Plant;
Simon Eastwood Carillion plc;
Chris Handy Accord Group;
Cllr. Ian Kettle Dudley MBC;
Cllr. Lee Jeavons Walsall MBC;
Geoff Layer University of Wolverhampton;
Tom Westley Westley Holdings;
Lowell Williams Dudley College.

In Attendance: Stella Manzie Birmingham City Council;
Cllr. Brigid Jones Birmingham City Council;
Sarah Middleton Black Country Consortium Ltd;
Helen Paterson Walsall MBC;
Ian Culley City of Wolverhampton;
Lara Cragg Black Country Consortium Ltd;
Delma Dwight Black Country Consortium Ltd;
Paul Mellon Black Country Consortium Ltd;
Peter Smith BEIS;
Hywel Ruddick Black Country Consortium Ltd.

Apologies: Councillors Coughlan, Eling, Harley, Lawrence and Paul Brown, Ninder Johal and Deborah Williams.

147/17 **Declarations of Interest**

Minute 149/17 – Commonwealth Games Presentation

Professor Geoff Layer declared his non-pecuniary interest in the Commonwealth Games as the University of Wolverhampton had an interest.

Minute 159/17 - Bilston Urban Village East – Site Investigation

Chris Handy declared his pecuniary interest in this matter and took no part in the consideration or voting thereon and vacated the room during the consideration of the item.

Minute 160/17 - University College Dudley – Site Investigation

Lowell Williams declared his pecuniary interest in this matter and took no part in the consideration or voting thereon and vacated the room during the consideration of the item.

Tom Westley, as a Governor of Dudley College declared his non-pecuniary interest in this matter. He took no part in the consideration or voting thereon and vacated the room during the consideration of the item.

148/17 **Minutes**

The minutes of the meeting held on 16th October 2017 were circulated.

Agreed that the minutes of the meeting held on 16th October 2017, be received and confirmed as a correct record.

149/17 **Commonwealth Games Update – Birmingham City Council**

Stella Manzie and Cllr. Brigid Jones were in attendance and provided an update on the Commonwealth Games bid.

They highlighted that the Commonwealth Games bid had been submitted and that positive feedback had been provided. The bid whilst primarily Birmingham based would impact on the wider region with a swimming and diving centre to be established in Sandwell. They also advised of the need to assemble funding for the bid and, if successful, agreed to come back to the Board to discuss options.

They highlighted the potential for an economic legacy with an increase in Gross Value Added (GVA) for the region, particularly the visitor

economy and as well as the sporting events there would be a cultural programme and business exhibitions.

It was commented that for the potential legacy of the Games the organisers should learn lessons from London 2012 and noted that the Games should reach into deprived areas with health and wellbeing initiatives. The commercial exposition was welcomed.

In regard to governance of the project it was noted that the 3 West Midland LEPs would have an observer position.

Helen Paterson highlighted that Walsall was home to the British Judo team and observed that the Games would raise the profile of the whole region, to include Walsall.

Sarah Middleton referenced the Black Country developed HVM platform which had been taken up by the other two LEPs, as a tool for businesses and contracts and Stella Manzie advised that there would need to be separate discussion on that, noting that this would be the Commonwealth Federations decision.

Agreed

- 1) That the update be welcomed and noted; and
- 2) That, if successful Birmingham City Council attend a future meeting of the LEP Board to provide an update on progress and to advise on any support required from the BC LEP.

150/17 **Policy Update**

The following updates were submitted: -

- a) Jake Berry Letter;
- b) Mary Ney Review;
- c) Andrew Jones MP visit; and
- d) Industrial Strategy.

In regard to the Mary Ney Review it was noted that the recommendations were already, in the main, implemented in the Black Country Assurance Framework and it was highlighted that the Assurance Framework was being further revised.

Peter Smith advised that the Industrial Strategy would be launched a week today.

Agreed that the LEP Board note the Policy Update.

151/17 **Brexit**

Tom Westley and Andy Cox provided an update on the work being undertaken by the Black Country Brexit Group, which had been established to consider the impact on local businesses, and highlighted the following Asks, which the Group sought approval for submission to Government.

- Clarify your intentions or expectations of future trading relationships and conditions, at least giving businesses the ability to plan ahead as much as possible.
- In the face of post-Brexit uncertainty, commit to putting more civil service ‘troops on the ground’ (e.g. BEIS, DIT personnel) in the Black Country to give businesses practical help, supercharging business support.
- Provide assurances of EU labour in the UK to both assure EU citizens of their valuable place in our society, and to guarantee employers of their continued access to skilled labour.
- Make easier the process for bringing in labour from overseas, particularly where the supply of a vacant job clearly meets the demand of a worker from abroad.
- Give greater detail on the replacement of EU funding post-Brexit, and take this opportunity to create a more flexible and less bureaucratic funding system.
- To combat against the threats of Brexit in the short, medium and long-term, develop a sustained focus on building a better domestic workforce and driving the ‘re-shoring’ agenda.

Agreed: -

- 1) that the Board confirm the “Asks” to Government as detailed; and
- 2) that the BC LEP Brexit Group continue to collate information from the identified sectors and report back to the LEP Board.

152/17 **Annual Conversation**

The meeting was advised that the Annual Conversation with Government on 4th December 2017, which would focus on Governance, Delivery and Strategy and noted that these were the standard areas for the Conversation with the 38 LEPs across the Country. It was noted that the Section 151 Officer at Walsall MBC would prepare a statement as would the BC LEP Chairman and Chief Executive, with the Chairman having a separate conversation on the 19th December 2018.

Peter Smith added that the conversation would also be how Government could support the LEP and it was observed that the annual spending profile and the cashflow issues which arose from that were a challenge to the LEP.

Agreed

- 1) That the Board note and approve the Key Areas of Discussion for the 2017 Annual Conversation; and
- 2) That the Board receive the formal note of the Annual Conversation post March 2018, to include the agreed actions for both parties, following the end of the Annual Conversation programme.

153/17 **Policy Away Day – Draft Programme**

The draft programme was circulated and the Chairman asked that views be submitted to the Secretariat.

It was noted that there was a need to promote clusters along the HVM corridors to identify the right customers with the right sites.

Agreed

That the Board approve the draft Agenda.

154/17 **West Midlands Combined Authority Update (WMCA)**

The meeting was advised of the decisions taken at the WMCA Board meeting held on 10th November 2017.

The Chairman advised that the WMCA was being featured more in the national media and he commented that this reflected the view that it was a major player in the UK economy.

Agreed: -

- 1) That the LEP Board note WMCA decisions from 10th November 2017; and
- 2) That the Board receive the Devolution 2 briefing in private session.

155/17 **Black Country Core Strategy Review**

Ian Culley, City of Wolverhampton, provided an update on the work being undertaken to review the BC Core Strategy, which was a statutory document and sat alongside the Strategic Economic Plan (SEP). He advised that there was good alignment with the growth targets of the SEP, especially housing and employment land.

Ian Culley advised of the timescales of the review, with a commitment for the revised plan to be adopted by 2021. He highlighted that there was a gap in employment land availability of 300 hectares and stated that i54 was providing 90 hectares.

It was commented that there was an opportunity to lower the carbon footprint by integrateing housing and employment land opportunities.

It was noted that that there were not suitable sized premises in the Black Countyr for firms to expand and observed that the Enterprise Zones would target suitable units for SME expansion.

Agreed that the Board note the timetable and progress on the Black Country Core Strategy Review.

156/17 **Black Country Strategic Economic Plan – West Bromwich Triangle**

The meeting received presentations on the SEP information in relation to the West Bromwich Triangle.

Reference was made to the key statistics and the need to get local people into jobs. It was also highlighted that these slides would form part of the Away Day discussions.

Agreed: -

- 1) That the Board note the West Bromwich Triangle ambitions; and
- 2) That the Board note the West Bromwich Triangle and the three corridors reported through to previous LEP Boards, would form part of the LEP Away Day in December 2017.

157/17 **Local Growth Fund Programme Dashboards**

Paul Mellon provided updates on the respective LGF Dashboards. It was noted that there was limited or minimal progress on the delivery of a number of projects meant that there was currently a predicted shortfall of approximately £6m on the current year's spend.

The Chairman expressed disappointment at the figures and commented that projects should use the allocated funding or risk losing it to projects more likely to deliver their outputs.

On a question how the LEP was performing against other LEPs, Peter Smith advised that he was not aware Government produced such a comparison table but stated that it could be done for previous years delivery.

Agreed: -

- 1) That the Board note the updates in respect of the three dashboards – Inflight current financial year; Future Year and Pipeline;
- 2) That the Board, in considering the limited or minimal progress achieved by some projects during 2017/18 towards utilising Grant to deliver Outputs, requested that the Grant funding be redistributed to other schemes more likely to effectively deliver Outputs, withdrawing Grant support from those projects that showed little progress in delivering their agreed target outputs; and
- 3) That the Project Management Office be requested to evaluate all underperforming schemes and make recommendations to the next LEP Board Funding Sub Group for the withdrawal and redistribution of any Grant funding not being effectively utilised by currently supported projects.

158/17 **Growing Priority Sectors Bid**

The LEP Board gave consideration to the bid received for the Growing Priority Sectors future allocation.

Agreed: -

That the LEP Board approve the funding request for the Growing Priority Sectors project for grant funding up to the value of £2,000,000 with delivery to commence in the 2018/19 financial year.

159/17 **Bilston Urban Village East – Site Investigation**

The LEP Board gave consideration to the bid received for additional funding for the Bilston Urban Village East – Site Investigation.

Agreed: -

That the LEP Board: -

- 1) Approve the funding request for the Bilston Urban Village East – Site Investigation project, for grant funding awarded to the value of £69,059 with delivery to commence in the 17/18 financial year; and
- 2) Note that the Site Investigation funding is to be underwritten by the City of Wolverhampton Council.

(**NB** Chris Handy declared his pecuniary interest in this matter and took no part in the consideration or voting thereon and vacated the room during the consideration of the item).

160/17 **University College Dudley – Site Investigation**

The LEP Board gave consideration to the bid received University College of Dudley Site Investigation.

Agreed: -

That the LEP Board: -

- 1) Approve the funding request for the University College Dudley Site Investigation project, for grant funding is to be awarded to the value of £64,400 with delivery to commence in the 17/18 financial year.
- 2) This Site Investigation funding is to be underwritten by Dudley College.

(**NB**

Lowell Williams declared his pecuniary interest in this matter and took no part in the consideration or voting thereon and vacated the room during the consideration of the item.

Tom Westley, as a Governor of Dudley College declared his non-pecuniary interest in this matter. He took no part in the consideration or voting thereon and vacated the room during the consideration of the item.)

161/17 **Minutes of the Funding Sub-Group – 6th November 2017**

The Minutes of the Funding Sub-Group held on 6th November 2017 were submitted.

Simon Eastwood, Chairman of the Funding Sub-Group, advised that in addition to the items reported for LEP Board approval his Group also received updates on proposals for Dudley Town Centre from Dudley MBC officers; the Black Country Core Strategy; the Black Country Enterprise Zones; M54/M6 Growth Zone; and the WMCA Combined Investment Fund.

Agreed that the Minutes of the Funding Sub-Group held on 6th November 2017 be approved and confirmed.

162/17 **Draft Minutes of the Active Black Country Board – 11th October 2017**

The Draft Minutes of the Active Black Country Board held on 6th November 2017 were submitted.

Agreed that the draft minutes of the Active Black Country Board held on 6th November 2017 be noted.

163/17 **PR and Communications Update**

The Board received the regular update on PR activity since the last meeting.

Agreed that the report be noted.

164/17 **Assurance Framework**

The Board received the revised Assurance Framework and revised appendices.

The meeting was advised of the Assurance Framework revisions detailed in the Appendices pack, which were agreed with Walsall MBC following a meeting on held on 9th November 2017.

It was noted that the area of quorum for the meeting was still under consideration following the receipt of legal advice from the Accountable Body and that a further report would be made to Board Members.

Members noted that in the interim, until the adoption of the revised Assurance Framework by the Black Country Joint Executive Committee at their meeting scheduled for 24th January 2018, the existing Framework remained in force.

The following revision to the appendices were highlighted: -

- i. **Appendix 9** – Programme Office Terms of Reference – to reflect structural changes in the PMO.
- ii. **Appendix 13** – Collaboration Agreement: - The agreement was amended following approval by the Black Country Joint Committee on 7 September 2016 and each of the four Black Country Council’s Cabinets, to incorporate all funding opportunities administered by or resulting from the West Midlands Combined Authority.
- iii. **Appendix 16** – Accountable Bodies Members Code of Conduct – amended to BC LEP Code of Conduct to include Companies Act requirements and the revision of the Gifts and Hospitality requirements.
- iv. **Appendix 26** – Audit Committee Terms of Reference - Addition of – “The Section 151 Officer of the Accountable Body for the LEP Core/Strategic Funds and the Growth Deal will approve these audit and scrutiny arrangements, either as they are performed by the Audit Committee or by any External Auditors appointed by the Audit Committee.”
- v. **Appendix 36** – Managing Conflicts of Interest at all stages of the project lifecycle - to reflect structural changes in the PMO – New Appendix, reflects how we manage officer conflicts of interest.
- vi. **Appendix 37** – BC Land and Property Investment Fund Project Governance Lifecycle - to reflect structural changes in the PMO – New Appendix, set out the approval process for the Land and Property Investment Fund.

Agreed that the Board recommend to the Black Country Joint Executive Committee that the revised Assurance Framework and Appendices amendments, detailed above be approved and adopted.

165/17 **Scheme of Delegations**

The Board was advised that within the Assurance Framework Appendix 35 – Scheme of Delegations detailed the current delegations and that it required amendment to take into account the changing roles of the Team, as the role of the SEP Director had now changed and the oversight of the Local Growth Fund was being undertaken by the PMO Manager. Thus given the day to day remit of the PMO Manager it was now appropriate that this role has the delegation to deploy a Change Request within the agreed limits.

Agreed That the Board recommend to the Black Country Joint Executive Committee that the proposed change to the Scheme of Delegations be approved and adopted: -

Recommend

deploy a Change Control process with clearly stated range of Project Tolerances, at 10% maximum of the total value of in year grant, applied to in-flight projects, approved by LEP Board.

Delegation change from – SEP Director to PMO Manager. ”

166/17 **LEP Core Strategic Funding Report**

The Board received the LEP funding and expenditure as at 30th September 2017 and were asked to approve the expenditure allocated against the Core and Strategic funding budget in line with accountable body internal audit procedures. They were also advised of the Programme Office Local Growth Fund Grant funding and the SEP Proposition fund as at 30th September 2017.

Agreed: -

That the LEP Board: -

- 1) Approve the LEP funding and expenditure position as at 30th September 2017;
- 2) Approve the Programme Office and SEP Proposition Funding expenditure at 30th September 2017; and
- 3) Approve utilisation of funds brought forward from 2016/17 towards the cost of the Black Country LEP contribution of £50,000 towards the Commonwealth Games bid, and £48,000 towards the cost of the Channel 4 Consultants.

167/17 **Dates of Future Meeting**

The dates of future meetings were noted, with the next meeting to be held on to be the Policy Away Day on 18th December 2017, at Wolverhampton Science Park and the

168/17 **Exclusion of Press and Public**

Agreed that the public and press be excluded from the rest of the meeting to avoid the possible disclosure of exempt information under Schedule 12A to the Local Government Act 1972.

169/17 **Directors Business – Exempt Information – Paragraph 3**

Minutes of the Directors meetings held on 18th September and 16 October respectively.

The minutes of the Directors meetings held on 18th September 2017 and 16th October 2017, respectively were submitted.

Agreed that the minutes of the Directors meetings held on 18th September 2017 and 16th October 2017 were confirmed and approved.

170/17 **WMCA – Devo Deal 2**

Sarah Middleton advised the meeting of the Devo Deal 2 outcome.

(The meeting closed at 4.50pm)