


REPORT TO CABINET

22 July 2020

Subject:	Towns Fund Governance and Member Appointments
Presenting Cabinet Member:	Cllr Ali - Deputy Leader and Cabinet Member for Resources and Core Services and Inclusive Economic Growth Cllr Millard - Deputy Leader and Cabinet Member for Skills and Employment
Director:	Tammy Stokes Interim Director – Regeneration and Growth Surjit Tour Director – Director Law and Governance and Monitoring Officer
Contribution towards Vision 2030:	
Key Decision:	Yes
Cabinet Member Approval and Date:	Cllr Ali – 2 July 2020 Cllr Millard – 9 July 2020
Director Approval:	7 July 2020
Reason for Urgency:	Government Guidance was published in June 2020 and there is a need to respond urgently to put in place the required governance arrangements. The item did not therefore appear in the 28 day notice. The scrutiny chair has been notified.
Exempt Information Ref:	N/a
Ward Councillor (s) Consulted (if applicable):	No
Scrutiny Consultation Considered?	Yes – Cllr Rollins 10 July 2020

Contact Officer(s):	<p>Elaine Newsome – Service Manager, Democracy</p> <p>Rebecca Jenkins – Senior Lead, Service Improvement</p>
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DECISION RECOMMENDATIONS

That Cabinet:

1. Delegate authority to the Sandwell Towns Fund Superboard to approve the Town Investment Plans for West Bromwich, Smethwick and Rowley Regis for submission to Government.
2. Approves the Member appointments to the Superboard and Local Boards as set out in Appendix 1.
3. notes the governance requirements of the Towns Fund Guidance as set out in Appendix B.
4. authorises that the Chief Executive, in consultation with the Leader, the Cabinet Member for Inclusive Economy, and the Monitoring Officer, agree arrangements for the Governance of the Towns Fund Programme in accordance with the Government's Towns Funds Guidance.

1 PURPOSE OF THE REPORT

- 1.1 The report sets out the governance arrangements for the Towns Fund Programme and proposed Member appointments to the Superboard and Local Boards.

2 IMPLICATION FOR VISION 2030

- 2.1 Ensuring our towns are vibrant, thriving centres of community activity is an essential element of Vision 2030. The Towns Fund is a key pillar of achieving the Vision through securing significant investment for 3 of Sandwell's Towns.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 On 6th September 2019, it was announced that 101 Towns had been identified by Government to benefit from the Town Fund. In Sandwell, West Bromwich, Smethwick, and Rowley Regis were identified. On 1st November 2019, the Government released the Town Fund prospectus, providing some additional information about the purpose and scope of the funding as well as setting out key timescales for progressing the Town Fund.

- 3.2 Detailed guidance on the Towns Fund was published in June 2020.
- 3.3 The objective of the fund is to drive the economic regeneration in Towns to deliver long term economic and productive growth through;
- 3.3.1 **Urban regeneration, planning and land use;** ensuring towns are thriving places for people to live and work, including by; increasing density in town centre, strengthening local economic assets including local cultural assets; site acquisition, remediation, preparation, regeneration; and making the full use of planning tools to bring strategic direction and change.
- 3.3.2 **Skills and enterprise infrastructure:** driving private sector investment and ensuring towns have the space to support skills and small business development.
- 3.3.3 **Connectivity:** developing local transport schemes that complement regional and national networks, as well as supporting the delivery of improved digital connectivity.
- 3.4 The Town Fund comprises £3.6b of funding across 101 towns. A maximum investment of up to £25m in each Town is available. The amount of funding allocated to each Town will be based on the Town Deal agreed with Government.
- 3.5 The Towns Fund Prospectus published in November 2019 outlined that Sandwell Council is required to lead on the development of Town Deal Boards and that the Town Deal Boards should comprise a wide range of key stakeholders from community, business, voluntary, public-sector and faith organisations. Town Deal Boards should be chaired by someone from the private sector.
- 3.6 To co-ordinate the three Towns Fund bids in Sandwell, an overarching Towns Fund Superboard was established with three Town-level boards reporting into this Superboard.
- 3.7 Jude Thompson, President of the Blackcountry Chamber of Commerce was invited to chair the Superboard and has accepted the appointment.
- 3.8 The Superboard has met twice in December 2019, and February 2020 to start to explore ideas for the Towns Fund bids.
- 3.9 A Town Deal is an agreement in principle between Government, the Lead Council and the Town Deal Board, which in Sandwell is called the Towns Fund Superboard. The Town Deal will cover a period of up to five years.

- 3.10 In February 2020, Cabinet approved the award of contracts for consultancy support to deliver the Town Fund for Smethwick, Rowley Regis and West Bromwich
- 3.11 Following receipt of detailed Towns Fund guidance in June 2020, appointments to the Sandwell Superboard and Local Boards need to be confirmed and governance arrangements implemented that are compliant with the guidance.

4 THE CURRENT POSITION

- 4.1 Due to Covid-19, Government Guidance on the Towns Fund programme was delayed and timelines for the Towns Fund Programme pushed back.
- 4.2 Detailed guidance was published in June 2020 which contained a number of specific requirements around the governance of the Towns Fund programme, the responsibilities of the Lead Council and the Town Deal Board, details around the projects to put forward in the TIP, the style of the TIP document, and expectations around consultation and engagement.
- 4.3 On 30 June 2020, Government announced that Towns Fund areas would be eligible for additional funding to deliver projects in line with the Towns Fund criteria and for delivery by end March 2021. Each of Sandwell's 3 Towns Fund Towns can apply for up to £750,000 capital funding and proposals must be submitted by 14 August 2020.
- 4.4 The process for the Towns Fund Programme is:
- Applications for projects of up to £750,000 (capital) per Town that can be delivered by March 2021 (14 August 2020)
 - Submission of Town Investment Plans (October 2020 and January 2021)
 - Heads of Terms Agreement signed
 - Town Deal Announced
 - Development of Detailed Business Cases
 - Release of Funding
 - Delivery of Towns Fund Projects (by 2026)
- 4.5 The first phase of the Towns Fund Programme is to submit a Town Investment Plan (TIP).

Governance Guidance

- 4.6 The guidance details the following roles and responsibilities

4.6.1 **Lead Council**

- Upholding the Seven Principles of Public Life (the Nolan Principles)
- Developing a delivery team, delivery arrangements and agreements
- Ensuring that decisions are made by the board in accordance with good governance principles
- Ensuring transparency requirements are met – through publication of information on their website or a Town Deal specific website
- Developing agreed projects in detail and undertaking any necessary feasibility studies
- Undertaking and required Environmental Impact Assessments or Public Sector Equalities Duties
- Helping develop detailed business cases
- Liaising with potential private investors in identified local projects and schemes
- Signing the Heads of Terms Agreement with government
- Monitoring and evaluating the delivery of individual Towns Fund projects
- Submitting regular monitoring reports to Towns Hub
- Receiving and accounting for the Town's funding allocation

4.6.2 **Town Deal Board (Sandwell Superboard)**

The Town Deal Board will sign off each stage of a Town Investment Plan and Town Deal. The Board is responsible for:

- Upholding the Seven Principles of Public Life (the Nolan Principles)
- Developing and agreeing an evidence-based Town Investment Plan
- Establishing a clear programme of interventions
- Embedding arrangements in local plans (where appropriate) and undertaking Environmental Impact Assessments and fulfilling duties on public authorities under the Equalities Act, in particular, and the public sector equality duty.
- Coordinating resources and engaging stakeholders
- Ensuring communities' voices are involved in shaping design and decision making at each phase of development
- Ensuring diversity in its engagement with local communities and businesses
- Helping develop detailed business cases
- Overseeing each step of agreeing a Town Deal, and overseeing compliance with the Heads of Terms Agreement with government

4.7 **Membership** The Towns Fund Prospectus and Guidance detailed that Town Deal Board should comprise the following participants:

- A private sector chair

- All tiers of local government
- The MPs representing the town(s)
- The Local Enterprise Partnership
- Local businesses and investors
- Community / local voluntary community sector representatives
- Other relevant local organisations such as FE colleges or Clinical Commissioning Groups

Sandwell Towns Fund Governance

- 4.8 The Sandwell Superboard will operate as the ‘Town Deal Board’ as defined in the Government’s Towns Fund Guidance.
- 4.9 The three Local boards (one each for Rowley Regis, Smethwick and West Bromwich) will operate as sub-groups of the Superboard and will make recommendations to Superboard.
- 4.10 The Towns Fund Superboard will be responsible for:
- Leadership/ Direction of Towns Fund - Provide strategic direction across all of the Town Deal Areas
 - Coherent Governance - Ensure a coherent approach across all of the Town Deal Areas, maximising cross town initiatives where possible
 - Consistency - Ensure interventions are not competitive across the Town Deal Areas and act to build the local economy
 - Alignment to Strategic Priorities - Ensure alignment of the Town Investment Plan (T.I.P) to Local, Regional and National strategies
 - Shape and Approve Town Investment Plans
 - Approve the Stakeholder Engagement Plan
- 4.11 The Town Deal Local Boards will be responsible for:
- Developing the strategy and vision for the town
 - Develop and agree an evidence-based T.I.P and inform the Town Deal, including the amount of investment secured
 - Develop a clear programme of interventions
 - Coordinate resources and influence stakeholders
- 4.12 Scrutiny of the Towns Fund Programme will be provided through the Council’s scrutiny arrangements. Economy, Skills, Transport and Environment Scrutiny Board considered an initial presentation on 4 February 2021.

Membership

- 4.13 The Superboard membership has been compiled in adherence to the Government’s guidance. A membership list is attached within Appendix 1.

- 4.14 Two Member seats on the Superboard are to be appointed to. It is proposed that the Leader, and the Cabinet Member for Inclusive Economic Growth be appointed to the Towns Fund Superboard.
- 4.15 The Local Boards for Rowley Regis, Smethwick and West Bromwich are sub-groups of the Superboard. To reflect the intentions of the guidance, the Local Boards are also composed of a range of stakeholders with a Chair drawn from the private sector. Business Ambassadors Chris Hinson (SIPS) and Alan Taylor (MIGlass) have been invited to Chair the West Bromwich and Smethwick Local Boards respectively, and Adrian Eggington (BCHG) has been invited to and chair Rowley Regis Local Board. All have accepted the invitation.
- 4.16 It is proposed that the relevant Town Lead Member, and following Cabinet Members be appointed to the Local Boards as follows:
- 4.16.1 Rowley Regis Local Board
- Rowley Regis Town Lead – Cllr Ashman
 - Cllr Crompton
 - Cllr Millard
- 4.16.2 Smethwick Local Board
- Smethwick Town Lead – Cllr Ahmed
 - Cllr Ali
 - Cllr Shaeen
- 4.16.3 West Bromwich Local Board
- West Bromwich Town Lead – Cllr Melia
 - Cllr Taylor
 - Cllr Hadley
 - Cllr Underhill

Governance Arrangements and Terms of Reference

- 4.17 The Council will act as the Accountable body for the Towns Fund, through which, if successful, funding will flow.
- 4.18 Following an offer of Heads of Terms from Government, full business cases will be developed for each of the Towns Fund projects which will be subject to the Council's capital appraisal assessment and approval from Cabinet.

- 4.19 Town Deal Boards are required to align with the Council's governance standards and policies. As such, a detailed Terms of Reference Document and Governance Procedure Rules will be produced for members of the Superboard and Local Boards to adopt including a Code of Conduct, adherence to the Seven Principles of Public Life (Nolan principles), declarations of pecuniary and non-pecuniary interests, and a register of gifts and hospitality.
- 4.20 Members of the Superboard and Local Boards will be given support and guidance to fulfil the governance requirements.
- 4.21 This report seeks approval for the Chief Executive in consultation with the Leader, Cabinet Member for Inclusive Economic Growth and Monitoring Officer to agree arrangements for the Governance of the Towns Fund Programme in accordance with the Government's Towns Funds Guidance. This will include a Terms of Reference Document which will extend the Council's arrangements for co-opted Council Members to Members of the Superboard and Local Boards.
- 4.22 In line with the Towns Fund Guidance, agendas of Superboard meetings will be published within 5 clear working days and minutes within 10 clear working days through the Council's CMIS system
- 4.23 The Superboard will abide with the Council's arrangements for the consideration of public reports with the default position being that all papers are open to the public.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 It is key that proposals are developed in partnership with the community, business and public-sector organisations. Key stakeholders drawn from a variety of sectors have been invited to participate in the Superboard and Local Boards.
- 5.2 There will be a period of community consultation as part of the development of the Town Investment Plans (TIP) which will take into account the requirement for social distancing.

6 ALTERNATIVE OPTIONS

- 6.1 Alternative Members could be put forward for participation in the Superboard and Local Boards.
- 6.2 The proposal is for Cabinet Members to participate at Superboard and Local Board level along with the relevant Town Lead Members.

- 6.3 Alternative proposals for governance could be implemented. The proposals within this report adhere with the Government's Towns Fund Guidance which is a requirement to access the Towns Fund funding.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 The Towns Fund represents a unique opportunity for up to £75m funding to improve our towns and up to an additional £2.25m accelerated funding.
- 7.2 The Council will act as Accountable body and projects will undergo capital appraisal as part of development of detailed business cases.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The Council is the accountable body for the Towns Fund and will sign the Heads of Terms agreement with Government along with the Chair of the Superboard.
- 8.2 The Member Code of Conduct will apply to the Superboard and Local Boards to ensure transparency and accountability of governance arrangements.
- 8.3 A detailed Terms of Reference Document and Governance Procedure Rules will be produced for the Superboard and Local Boards.
- 8.4 The Agendas and Minutes of the Superboard will be made available to the public.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 The potential investment gained through the Towns Fund offers the opportunity for Towns to 'level up' and put in place building blocks for economic prosperity.
- 9.2 Specific equality and diversity implications will be assessed and considered as part of individual projects brought forward for decision.
- 9.3 Superboard and Local Board Membership is drawn from a range of organisations and sectors.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 N/a

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 N/a

12 SUSTAINABILITY OF PROPOSALS

12.1 Should application to the Town Fund be successful, funding will be used to deliver interventions across the three town areas which will create sustainable, future proofed and resilient communities.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

13.1 N/a

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

14.1 N/a

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

15.1 The proposal is for Cabinet Members to participate at Superboard and Local Board level along with the relevant Town Lead Members as detailed in the report.

16 BACKGROUND PAPERS

Towns Fund Guidance, June 2020

17 APPENDICES:

Towns Fund Guidance, June 2020

Towns Fund Governance Document

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