

Agenda

Smethwick Town Deal Board

Tuesday, 28 June 2022 at 4.00 pm
This meeting is held online

1 Welcome and Opening Remarks

The chair will welcome attendees to the meeting and make opening remarks.

2 Apologies

To receive any apologies for absence.

3 Minutes of the last meeting

5 - 13

To confirm the minutes of the meeting held on 14 February 2022 as a correct record.

4 Declarations of Interest

To receive any declarations of interest from members relating to any item on the agenda.

5 Governance Arrangements

15 - 28

To receive and approve the updated Terms of Reference and to review and agree board membership for 2022/23.



6 **Code of Conduct and Register of Interests**

To receive updated documentation for completion and return to the Programme Management Office.

7 **Programme Updates**

To receive an update on programme activity since the submission of Summary Documentation in March 2022.

8 **Any other Business**

To receive any other business raised by members for discussion.

9 **Closing Remarks**

The Chair will make closing remarks and close the meeting.

Kim Bromley-Derry CBE DL
Managing Director Commissioner

Sandwell Council House

Freeth Street

Oldbury

West Midlands

Distribution

A Taylor (Chair)

J Thompson, Councillor K Carmichael, Councillor P Hughes, Councillor B Piper, Councillor Z Ahmed, Councillor F Shaeen, J Spellar MP, S Shingadia, G Layer, J Nugent, B Sixsmith, D Holden, G Brown, J Singh, J Harrison, J Wood, L Bird, M Iqbal, M Shabir, O Rashid and R Lake

Contact: town_deal@sandwell.gov.uk

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Smethwick Town Deal Local Board Meeting Notes

Details: Monday 14 February 2022 | 16:00 | Microsoft Teams Meeting

Local Board Member/ Representative Attendees:

Alan Taylor - MI Glass (Chair)
Councillor Farut Shaeen – SMBC Town Lead
Councillor Sukhbir Singh Gill – SMBC Deputy Town Lead
David Holden – Sandwell College

John Wood - Liberty Engineering
PCSO Amarjit Randhawa, West Midlands Police
Tony McGovern - Director of Regeneration and Growth

Superboard Members and SMBC Cabinet Members Attendees:

Jude Thompson, Chair of Sandwell Superboard
John Spellar, MP West Bromwich West Constituency

Cllr Zahoor Ahmed, SMBC Cabinet Member

Local Board Guests Attendees:

Andy Miller, SMBC Regeneration

Austin Bell, NHS Trust

Attending in Support:

Clinton Felicio – SMBC Regeneration
Emma Parkes – SMBC Towns Fund Programme Office
Hayley Insley - SMBC Regeneration
Jenna Langford – SMBC Regeneration Manager

Rina Rahim, SMBC Towns Fund Programme Manager
Santokh Singh - SMBC Neighbourhood Engagement Manager

Apologies Received:

Rob Lake – Albion Foundation
Tariq Karim - SMBC Area Manager Youth Service

Leona Bird – SVCO

Absent:

Chris Hilton - Interim Service Manager for Assets and Land
Gareth Brown - Smethwick Church Action Network
Muskaan Shabir, Young Persons Representative
Jane Lillystone - SMBC Neighbourhoods

Jennifer Harrison – Brasshouse Community Centre
Kelly Thomas - SMBC Employment Strategy and Partnerships
Mohammed Iqbal, Young Persons Representative
Omar Rashid - Business Representative

Please note where the meeting notes make reference to commercially sensitive material this will be specifically indicated. A version of the minutes with commercially sensitive content redacted can be made available.

Ref.	Description	Officer to Action
1.0	<p>Welcome and Opening Remarks The Chair will welcome attendees to the meeting, make opening remarks.</p>	Alan Taylor
1.1	The Chair welcomed Local Board Members to the virtual meeting and outlined the items for discussion as per the agenda, of which focused on feedback following Assurance Panel sessions held on 24 January and 8 February 2022 and to receive and agree the Full Business Cases for Midland Met Learning Campus and Grove Lane Regeneration.	
1.2	The Chair introduced Rina Rahim, Towns Fund Programme Manager. Rina was appointed in October 2021 and started employment with Sandwell Council on 31 January 2022. Local Board Members were informed Jenna Langford will continue to manage Phase 2 (Full Business Case Development) until end of March 2022 whilst Rina prepare for Phase 3 - Delivery.	
2.0	<p>Declarations of Interests To receive any declarations of interest from board members relating to any item on the agenda.</p>	Alan Taylor
2.1	Alan Taylor (Chair) - Sandwell College Board of Governors	
2.2	The Chair asked local board members to raise any declarations of interests during discussions should they need to.	
3.0	<p>Minutes and Action Log To confirm the minutes of the meeting held on 17 January 2022 as a correct record and to review the outstanding actions recorded on the action log.</p>	Alan Taylor
3.1	<p><u>Minutes of the meeting held on 17 January 2022</u> Local Board members agreed minutes are of a true record.</p>	
3.2	<p><u>Action Log</u> Updates have been recorded on the attached action log.</p>	
4.0	<p>Assurance Panel Feedback To receive feedback from the Towns Fund Assurance Panel held 24 January 2022 and 8 February 2022.</p>	Jenna Langford
4.1	<p><u>Assurance Panel Feedback - 24 January 2022</u> The Rolfe Street Canalside Regeneration Project was presented and agreed by the Assurance Panel on 24 January 2022. As a result, the project summary document will be prepared and proceed for submission to DLUHC by 24 March 2022.</p>	
4.2	<p>The recommendations agreed by the Assurance Panel were presented to Local Board Members. Recommendations included: -</p> <ol style="list-style-type: none"> 1) That prior to entering into a funding agreement with the DLUHC, Strategic Finance review the terms and conditions of funding to assess the level of risk to the council. 2) A Project Change Request to be submitted to DLUHC to capture revised number of residential units (115 from 125). 3) The Full Business Case is updated to reflect the most viable delivery option to deliver the 115 residential units will be undertaken (i.e. joint venture or through development agreement) 	

Ref.	Description	Officer to Action
4.3	<p>The Ron Davis Centre Expansion Project was presented to the Assurance Panel on 24 January 2022. However, the Full Business Case was not agreed due to the number of outstanding queries. It was agreed the Full Business Case would return to the panel on 8 February 2022.</p>	
4.4	<p><u>Assurance Panel Feedback - 8 February 2022</u> The Smethwick Connected Project was presented and agreed by the Assurance Panel on 8 February 2022. As a result, the project summary document will be prepared and proceed for submission to DLUHC by 24 March 2022.</p>	
4.5	<p>The recommendations agreed by the Assurance Panel were presented to Local Board Members. Recommendations included: -</p> <ol style="list-style-type: none"> 1) That prior to entering into a funding agreement with the DLUHC, Strategic Finance review the terms and conditions of funding to assess the level of risk to the council. 2) A more detailed costings and supporting information is provided for phases 2 to 5. 	
4.6	<p>Local Board Members were informed detailed costings were not available for the Assurance Panel as a result of the delivery timescales. Phases 2 to 5 are planned to be delivered in a few years-time, therefore exact costings would be provided during the delivery stage.</p>	
4.7	<p>The Ron Davis Centre Expansion Project returned to the Assurance Panel on 8 February 2022. However, the Full Business Case was not agreed due to outstanding queries following a change to the commercial case. The project team have reviewed the procurement approach as advice from Quantity Surveyors suggests a traditional build to be more cost efficient than a modular build.</p>	
4.8	<p>The recommendations agreed by the Assurance Panel were presented to Local Board Members. Recommendations included: -</p> <ol style="list-style-type: none"> 1) Provide further breakdown of project costs to ensure the project is affordable following the revision to the procurement approach 2) Provide assurance that in-house resource is secured to support the design of the build 3) Confirm the procurement route (i.e. design and build/ construction only framework/ open tender) 4) High level analysis to be undertaken to determine the sustainability of the project. 	
4.9	<p>Local Board Members were advised the Ron Davis Centre Expansion project would generate £65kpa income from WMCA. The Assurance Panel requested confirmation that this income stream would support ongoing running costs of the project.</p>	
4.10	<p>The project team are currently updating the Full Business Case to address the above recommendations prior to returning to the Assurance Panel on 21 February 2022.</p>	
4.11	<p><u>Programme Level Update</u> All Full Business Case are on track (RAG Green).</p>	
4.12	<p>Midland Met Learning Campus</p> <ul style="list-style-type: none"> • Partnership agreement and Advanced Funding Agreement in draft 	

Ref.	Description	Officer to Action
	<ul style="list-style-type: none"> • Full Business Case submitted, and review completed by PMO and SIU. • Full Business Case put forward today for Local Board agreement to recommend to Superboard 	
4.13	<p>Grove Lane Regeneration</p> <ul style="list-style-type: none"> • Full Business Case submitted and review completed by PMO and SIU. • Full Business Case put forward today for Local Board agreement to recommend to Superboard 	
4.14	<p>Rolfe Street Canalside Regeneration</p> <ul style="list-style-type: none"> • FBC approved by Local Board, Superboard and Assurance Panel (January 2022) • Summary document to be prepared and proceed through the process to submit to DLUHC 	
4.15	<p>Smethwick Connected</p> <ul style="list-style-type: none"> • FBC approved by Local Board, Superboard and Assurance Panel (January 2022) • Summary document to be prepared and proceed through the process to submit to DLUHC 	
4.16	<p>Ron Davis Centre Expansion</p> <ul style="list-style-type: none"> • Full Business Case to be updated to action outstanding queries from Assurance Panel • Full Business Case to return to Assurance Panel on 21 February 2022 	
4.17	<p>Local Board Members were asked to provide comments and raise queries. The discussion included: -</p>	
4.18	<p>A comment was raised regarding walking and cycling infrastructure, specifically the route on Tollhouse Way installed during 2021 via Accelerated Funding Programme. It was felt the current usage of this route is low and members of the public may feel money is being wasted by installing active travel infrastructure when the take up is low.</p>	
4.19	<p>Another Local Board Member agreed, advising this concern was raised during previous Local Board meetings. To date, Local Board Members have been advised monitoring would begin in Summer 2021; one year after installation. In addition, the full benefits would be seen following the completion of all 5 phases of the project.</p>	
4.20	<p>A detailed discussion took place around active travel. Some board members agreed there is a concern on active travel take up and some could see the future benefits once all 5 phases are delivered. A comment was made that the current cycle route on Tollhouse Way enables cycling on a dual carriageway, which could be dangerous for cyclist should the infrastructure not exist.</p>	
4.21	<p>Local Board Members were advised the usage of active travel routes would vary during the transition period to deliver all phases. In addition, Government have a huge emphasis on active travel and that £millions of further investment is lined up in the recent City Region Sustainable Transport Investment to enhance cycle infrastructure further.</p>	
4.22	<p>The chair thanked all for their contribution and emphasised the importance of having this level of discussion and challenge at Local Board level to enable project leads to feedback to project teams.</p>	

Ref.	Description	Officer to Action
5.0	<p>Midland Met Learning Campus Full Business Case To receive final draft of Full Business Case. Local Board to make any final input / comment and make recommendation to Superboard to agree FBC</p>	Austin Bell
5.1	<p><i>*During this item, Local Board Chair Alan Taylor lost connection to the virtual meeting. Chair of Sandwell Superboard, Jude Thompson assisted to Chair the remainder of the meeting in the absence of Alan Taylor*.</i></p>	
5.2	<p>The Midland Met Learning Campus Full Business Case and supporting documentation were circulated prior to the meeting. A high-level summary of each of the 5 cases were presented to Local Board Members. The key points included: -</p>	
5.3	<p>The Midland Met Learning Campus project will provide a major new skills resource next to the Midland Met University Hospital development, providing training in healthcare and healthcare related positions from entry level to level 7 skills. This is a collaborative proposal between Sandwell and West Birmingham Hospitals NHS Trust, Aston University, Sandwell College and the University of Wolverhampton, including Learning Works - a Trust organisation focused on helping the community and hard to reach groups access education and employment in the NHS.</p>	
5.4	<p>The Learning Campus will be designed to be inclusive and whilst the first University presence in Smethwick, the design will also respond to the needs of the community and encourage people into an aspirational setting with the potential to access other community services. The project completion date is expected to be Q3 2024.</p>	
5.5	<p>The Benefit Cost Ratio (BCR) calculation for this project is 4.03, meaning this scheme offers excellent value for money. Sensitivity analysis has been undertaken, all scenarios offer BCR calculation above 3.0.</p>	
5.6	<p>Project risks have been identified are being proactively managed through regular risk review and escalation. The key risks were outlined to Local Board Members.</p>	
5.7	<p>The total project value is £15.798m consisting £12.9m Towns Fund and £2.898m co-funding. At present, £650k co-funding has been identified (provided by NHS Trust). The FBC Financial Case details the approach that the project team are taking to apply for additional funding to close this grant funding ask as well as mitigation measures should they be required. The level of co-funding does not impact the outputs and outcomes associated to the project.</p>	
5.8	<p>Inflation and Super Inflation costs have been included within the Full Business Case costings and risk allowance has been applied.</p>	
5.9	<p>VAT advise has been sought. Any VAT costs that cannot be recovered by the NHS Trust have been included within the Full Business Case.</p>	
5.10	<p>The project is managed by NHS Trust with support from Igloo and Mott MacDonald consultants. A Project Board and Senior Delivery team within the Sandwell and West Birmingham Hospitals NHS Trust will have oversight of the implementation of this project.</p>	
5.11	<p>Partnership Agreement/ Heads of Terms with partner organisations are progressing. Partnership agreement between Sandwell Council and NHS Trust progressing,</p>	

Ref.	Description	Officer to Action
5.12	NHS Public Sector Framework expected to be used for the procurement of construction activities. Social Value targets will be revised as the project approaches the procurement exercise.	
5.13	Planning application submitted to Sandwell Council in 2021. The outline planning decision is expected March 2022.	
5.14	Consultation has demonstrated clear demand for this project and stakeholders are keen to see how the project can assist the community and hard to reach groups to access facilities.	
5.16	The project team look to create a central online platform to host information, questionnaires and event information to promote the project and continue engagement from now until project completion.	
6.17	Full Business Case review is underway and due to conclude on 14 February 2022. Comments received so far included detailed Gantt Chart and detailed costings. Local Board Members were informed detailed costings may change during the delivery period as some phases aren't for delivery until 2023/24.	
5.18	Local Board Members were asked to provide comments and raise queries. The discussion included: -	
5.19	The Full Business Case presentation referred to Social Value targets and the commercial case included reference to using an NHS Framework. A Local Board Member felt it was disappointing that the Full Business Case does not specify social value targets including the need to ensure local spend.	
5.20	The project lead confirmed the NHS Framework has 6 contractors and at the point of procurement, the project team would specify what social value targets the contractors should set to achieve and social value will be built into the evaluation criteria.	
5.21	A question was raised regarding what local spend radius is i.e. Borough wide, West Midlands, etc. The project lead confirmed they would liaise with Sandwell Council officers to confirm. The project lead was asked to circulate social value targets to Local Board Members once confirmed following discussions with SMBC officers.	
5.22	The Chair of Sandwell Superboard, Jude Thompson, agreed the query raised is important to understand and advised Local Board Members that discussions had taken place with the Towns Fund Programme Manager on how the programme can ensure local businesses have the opportunity to get involved and bid for works and where possible, how to encourage larger contractors to use local suppliers and sub-contractors.	
5.23	It was suggested that the project team review the framework contractors to see where labour and materials are sourced from.	
5.24	In response to the above, a comment was made that the majority of larger contractors have their regular suppliers and would not look locally. A suggestion was made to include this request within the initial procurement specification. This could also apply to apprenticeships; to include an apprenticeship ratio within contracts and if a contractor does not succeed, apprenticeships would be transferred across to other contractors.	

Ref.	Description	Officer to Action
5.25	A comment was raised around Framework Agreements and that many organisations are encouraged to use existing frameworks. Should the procurement route change to a procurement exercise/ tender, the timescales could extend and therefore not meet DLUHC criteria to spend within the delivery period. In addition, specialist materials may not be available locally.	
5.26	The project lead thanked all for their comments and agreed this discussion is extremely beneficial. The project lead advised there are options that could be explored, for example taking a longer period of time to construct the facility if it ensures spend is local compared to a quicker delivery. The project lead advised this method is not the usual method to assess procurement activity but could be considered.	
5.27	Local Board Members were advised the project team have explored ways to reuse materials e.g. bricks from demolition projects and there may be opportunity to seek support from WMCA to access concrete suppliers for low carbon concrete.	
5.28	A discussion took place regarding consultation and the importance to consult with both internal and external stakeholders, in particular how staff, learners, (patients) can access the Midland Met Learning Campus (and the Midland Met University Hospital).	
5.29	Local Board Members were advised a Transport Working Group has been established to discuss transport to Midland Met Learning Campus, University Hospital and Grove Lane Regeneration project.	
5.30	Action: Austin Bell to circulate Social Value targets for Midland Met Learning Campus project.	
5.31	Action: Austin Bell to review Framework Contractors to see where materials and labour is sourced from.	
5.32	Action: Rina Rahim, Tony McGovern and Jude Thompson to discuss Local Spend in more detail and feedback to Local Board Chairs.	
5.33	<i>Agreed. Midland Met Learning Campus Full Business Case agreed and recommended to Superboard for agreement.</i>	
6.0	<p>Grove Lane Regeneration Full Business Case To receive final draft of Full Business Case. Local Board to make any final input / comment and make recommendation to Superboard to agree FBC.</p> <p>6.1 The Grove Lane Regeneration Full Business Case and supporting documentation were circulated prior to the meeting. A high-level summary of each of the 5 cases were presented to Local Board Members. The key points included: -</p> <p>6.2 The Grove Lane and Regeneration Project will regenerate the Grove Lane development site at the centre of Smethwick, a largescale mixed-use and housing development on the industrial site directly adjacent to the hospital.</p> <p>6.3 Investment will assist the acquisition and remediation of a selected site (2.0ha) within the Grove Lane area to accelerate regeneration for housing delivery (145 homes), the first phase of a comprehensive major regeneration project to deliver new homes and associated infrastructure.</p>	Hayley Insley

Ref.	Description	Officer to Action
6.4	The Benefit Cost Ratio (BCR) calculation for this project is 2.87, meaning this scheme offers high value for money.	
6.5	Project risks have been identified are being proactively managed through regular risk review and escalation. The key risks were outlined to Local Board Members.	
6.6	The total project value is £4.350m consisting 100% Towns Fund and will be used for land acquisition and remediation.	
6.7	A Project Board has been established to manage the project.	
6.8	Procurement of this project would include the use of an existing framework for demolition works and once the land is remediated, a framework maintained by Homes England would be used where several developers and contractors are available.	
6.9	Consultation to date has demonstrated the need for this project. Overall, housing development is welcomed in the area and can bring forward further investment to adjacent land.	
6.10	Local Board Members were asked to provide comments and raise queries. The discussion included: -	
6.11	A Local Board Member suggested the main risk to this project is assessment of property values. They asked what the likely sale price would be per home. Local Board Members were advised on average, a home would sell for £375k based on the particular area and demand for good quality, large family housing.	
6.12	Local Board Members expressed this average price seemed high for the area, however were informed the assessment was based on prices to date and future property value is dependent on a shift in market conditions.	
6.13	Comments were received regarding the deprivation of the area and importance to ensure local people have the opportunity to purchase affordable housing. Local Board Members were advised the project will deliver 25% affordable housing on the site.	
6.14	A comment was raised regarding the term 'affordable housing' and that this is no longer applicable given the increase in property values. On average, homes in the Smethwick area are selling for £430k - £450k (as researched on 15 February 2022 during the Local Board meeting).	
6.15	A discussion took place around the wider issues of affordable housing including factors of low-income families, high unemployment in the area and lots of local people are on minimum wage. Conversation then led to the increase in rent values. A comment was raised relating to new build homes and investors outside of Sandwell purchase and rent properties, meaning local people miss out on opportunities and implications of HMO.	
6.16	Jude thanked all for their comments and summarised back to the question if properties will be affordable. The discussions concluded the project appears to consider the type and size of housing to meet the demand.	
6.17	Agreed. Grove Lane Regeneration Full Business Case agreed and recommended to Superboard for agreement.	

Ref.	Description	Officer to Action
7.0	<p>Any Other Business</p> <p>7.1 No other business raised.</p> <p>7.2 <u>Closing Remarks</u> Jude Thompson thanked board members for their attendance and contribution to discussions. Jude commented on how great it was to hear detailed discussions at a local level to ensure project leads and Superboard members listen and take action.</p> <p>7.3 Jude acknowledged discussions and debate can be long and in depth, but this shows that Local Board members have the same driving force and opinions on wanting projects to benefit local people and succeed.</p> <p>7.4 Jude closed the Local Board meeting on Alan's Behalf at 17:35 hours.</p>	All
8.0	<p>Date of next meeting To be arranged following receipt of DLUHC Full Business Case feedback.</p>	For Information

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Smethwick Town Deal Board

28 June 2022

Appendix Item:	Towns Fund Phase 3 Terms of Reference
Contact Officer:	Rina Rahim/ Emma Parkes Town_deal@sandwell.gov.uk

1. Purpose of Document

- 1.1 The purpose of this document is to outline the governance arrangements for Sandwell's Towns Fund Programme for Phase 3 and supersedes the Towns Fund Governance Arrangements agreed in July 2021 which was relevant to Phases 1 and 2.
- 1.2 It has been updated to reflect the next phases of the programme now that the Town Deals have been signed and to reflect the latest Towns Fund Guidance (released by MHCLG December 2020, April 2021 and December 2021).
- 1.3 The document includes Roles and Responsibilities, Code of Conduct for Board Members, Decision Making arrangements, Scrutiny arrangements, Transparency and Accountability and a List of Members of the three Local Boards

2. Context

- 2.1 Governance was provided to this programme through the Towns Fund Superboard and three Local Boards, and the Council as the Accountable Body for Phases 1 and 2.
- 2.2 For Phase 3 - Delivery, the work of the Local Boards will involve reviewing progress of the Towns Fund Programme and projects, assessing change requests and ensuring compliance with Heads of Terms. In accordance with the Towns Fund Guidance published June 2020 and updated guidance in, the Local Boards will each act as the Town Deal Board for their respective Towns.

2.3 MHCLG guidance outlines the following responsibilities for the Town Deal Board: -

2.3.1 Phase 3 of the Programme (project delivery) - that the Town Deal Board should ensure an element of independent 'on-the-ground' monitoring of the deal delivery and act as a 'critical friend' throughout the programme lifecycle.

2.3.2 Through project delivery, ensure regular catch ups with the Town Deal Board to enable the board to see through the town vision, take ownership of their proposed projects and provide a level of accountability.

2.3.3 The Town Deal Board should have an ongoing role and sight of decisions, the nature and degree of which should be agreed locally.

3. Roles and Responsibilities

3.1 Local Boards

3.1.1 The Local Board will be responsible for: -

- Leadership/ Direction - 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 projects to Local, Regional and National strategies
- Approve the Stakeholder Engagement Approach – ensuring that communities' voices are involved in shaping design and decision making at each phase of development, and ensuring diversity in its engagement with local communities and businesses
- Support and provide a steer (as required) to the Local Town Boards
- Upholding the Seven Principles of Public Life (Nolan Principles)
- Ensure compliance with Heads of Terms Agreements
- Have sight of and be consulted over project change requests
- Agree Full Business Cases and recommend them for appraisal and approval
- Act as a critical friend throughout the programme
- Fulfil any other duties and responsibilities required of the Town Deal Board by Central Government

3.1.2 The Chair of the Local Boards will be responsible for:

- Upholding the Seven Principles of Public Life (Nolan Principles)
- Leading the Local Boards to achieve its objectives, maintaining an overview of activity, and championing the supporting partnership working
- Ensuring that decisions are made by the Board in accordance with good governance principles
- Signing the submissions to Government on behalf of the Local Boards

3.2 Sandwell Council

3.2.1 Sandwell Council is the Accountable Body for Sandwell's Town Deal Programme.

3.2.2 Sandwell Council is responsible for: -

- Upholding the Seven Principles of Public Life (Nolan Principles)
- Developing a delivery team, delivery arrangements and agreements
- Ensuring that decisions are made by the Local Boards are in accordance with good governance principles.
- Ensuring transparency through the publication of agendas and minutes of the Local Boards on CMIS
- Developing agreed projects in detail and undertaking any necessary feasibility studies
- Undertaking any required Environmental Impact Assessments or Public Sector Equality Duties
- Monitoring and evaluating the delivery of Towns Fund projects and impact
- Submitting monitoring reports, as required
- Receiving and Accounting for the Town's Funding allocation and capacity funds
- Undertake business case assurance and sign off in line with local processes (approval from SMBC Cabinet)
- Engage with the Towns Fund Local Boards regarding project changes
- Proactively consult the Towns Fund Lead (MHCLG representative) on any potential changes to approved plans
- Ensure that all templates submitted to MHCLG are accurate and complete representations of current circumstances

4. Board Vacancies

4.1 **Local Board** - Vacancies occurring within the Local Boards are for the identified organisations to make an appointment to in line with their own governance procedures.

4.2 **Young People's Representatives** - Vacancies occurring in young people's representation at Local Boards will be identified and appointed to via the Sandwell Council Youth Service in consultation with the Chair of the Local Boards, as appropriate.

5. **Code of Conduct**

5.1 All Members of the Local Boards will sign the Councillor Code of Conduct which is based on the Seven Principles of Public Life (Nolan Principles) and contained within Article 13 of the Council's constitution.

5.2 Members of the Local Boards as a whole will be required to declare and register any gifts and/or hospitality which will be maintained by the Council.

6. **Decision Making – Local Boards**

6.1 The Council's Principles of Decision Making will apply to the Local Boards, as laid out in article 13 of the Council's Constitution. 'elected member' is taken to refer to Local Board member: -

6.1.1 Article 13.02 Principles:

- Proportionality (i.e. the action taken is proportionate to the desired outcome);
- Decisions are taken on the basis of due consultation and professional advice from officers (Decisions taken by elected members will be based on information provided in a written report prepared by the responsible officer/s);
- Respect for human rights and giving due regard to the Public Sector Equality Duty;
- A presumption in favour of openness (Reports will only be considered in private where they contain exempt information as defined in Schedule 12A to the Local Government Act 1972 (as amended) (see Part 4 Access to Information Rules – Rule 10);
- Clarity of aims and desired outcomes (The written reports submitted to elected members will contain a clear recommendation of the professional officer for every decision they are asked to take)

6.2 **Quorum** – the Local Boards will be considered quorate with one quarter of voting members present.

6.3 **Voting** – any matter will be decided upon by a simple majority of those members present in the room and eligible to vote.

6.4 **Confirmation of minutes** - The Chair presiding shall put the question that the minutes submitted to the meeting be approved as a correct record.

6.5 Declarations of Interest

6.5.1 Members shall be required to declare interests in accordance with any relevant statutory provisions and the Members' Code of Conduct as set out in Part 5 of the Constitution.

6.5.2 Where a Local Board member has a disclosable pecuniary interest or pecuniary interest in the business of the authority he/she must withdraw from the room or chamber where the meeting considering the business is being held unless the member has obtained a dispensation from the Council's Monitoring Officer.

6.5.3 Where a Local Board Member is nominated as the Lead Officer for a project and/or is involved in project delivery, they may attend the Local Board discussion relating to the project in the capacity of providing and presenting information but they may not participate in any deliberations or decision by the Local Board concerning that project.

6.6 In the event that Local Board wishes to move to a vote, any matter will be decided upon by a simple majority of those members present in the room and eligible to vote.

6.7 The Chair shall have a casting vote.

7. Scrutiny

7.1 Scrutiny of Sandwell's Towns Fund Programme will be provided by the Council's Economic, Skills, Environment and Transport Scrutiny Board on a quarterly basis and through the critical friend challenge that will be provided by the Local Boards.

8. Transparency and Accountability

8.1 Local Board Agendas and Minutes

- 8.1.1 The Council will publish Local Board meeting agendas on Modern.gov 5 clear days before the meeting.
- 8.1.2 Draft minutes of the Local Boards will be published within 10 clear working days; and
- 8.1.3 Approved minutes of the Local Boards will be published within 10 clear working days

8.2 Member profiles

- 8.2.1 Profiles of Local Board Members will be published on Modern.gov.uk

8.3 Conflicts of Interest

- 8.3.1 Members of the Local Boards will be required to declare any conflicts of interest (commercial, actual and potential). This will be maintained by the council in a declaration of interest register which will be managed by Sandwell Council.
- 8.3.2 Local Boards Members should take personal responsibility for declaring their interests before any decision is considered by the Local Boards. These will be formally noted within the published minutes of meetings of the Local Boards including action taken in response to any declared interest.
- 8.3.3 Local Board Members should take personal responsibility for declaring their interests prior to an item being discussed. These will be noted within the minutes including action taking in response to any declared interest. If any Member has any queries about their interests and the disclosure thereof, they should seek advice from the Monitoring Officer.

9. The Boards relationship with Sandwell Council

- 9.1 In accordance to the government guidance, the Town Deal Board will have sight and endorse Accountable Body decisions in the delivery of the Towns Fund Programme. Sandwell Council will remain the Accountable body for any Town Deal funding that is received, and any other funding received in future in relation to Town Deal projects.
- 9.2 These Terms of Reference do not change, replace, substitute for or amend in any way the statutory powers or duties or other responsibilities of any of the people or organisations represented on the Sandwell Town Deal Boards.
- 9.3 The procurement policies of Sandwell Council will apply. Where external professional advice is required, consultants will be identified using the

procurement policies of Sandwell Council and contracts will be entered into between Sandwell Council and the relevant organisation in accordance with Sandwell Councils policies and procedures including its contract procedure rules.

- 9.4 Where applicable, Sandwell Councils Cabinet will receive regular reports on progress of activities through regular performance monitoring.
- 9.5 Board Members shall make themselves available from time to time to meet Cabinet and / or Portfolio Holder and to attend meetings of the Council's Scrutiny Committee if invited.

- 9.6 The council's Data Protection Officer and the PMO will support the Board in dealing with any data protection questions. The council's framework can be found at [Information Governance and Data Protection](#)

10. Membership

- 10.1 The Lead Council has responsibility for establishing the Town Deal Boards for the development and implementation of the Town Investment Plans
- 10.2 The Local Boards will now assume responsibility for future governance under these Terms of Reference in consultation with the Accountable Body.
- 10.3 Membership will be reviewed annually and seek to continue to be representative of a diverse range of sectors, skills and interests in Sandwell in order for the Sandwell Towns Boards to be a valuable resource to draw on at all stages of the Town Investment Plan implementation.
- 10.4 Advisors – Advisors are invited by Board Members and participate in the meetings but will have no voting rights or ability to make decisions on behalf of the Board.
- 10.5 S151 Officer – Sandwell Council is the Accountable Body for the Town Board. The Council's S151 Officer or substitute will have a standing invite on the Local Boards to ensure compliance with all necessary financial regulations.
- 10.6 These terms of reference may be reviewed and modified at any time in consultation with the , Director of Law and Governance .

11. Scheme of Delegation

- 11.1 The Scheme of delegation in relating decision making are included as an annex to these Terms of Reference.
- 11.2 A decision which is made in contravention of the process will be invalid based on non-compliance unless the Local Board has given prior approval for variation in the decision-making process.
- 11.3 Any financial decision must be signed off by Sandwell's S151 Officer as the Accountable Body. The Council's S151 Officer will ensure compliance with all necessary financial regulations, in order to protect the Accountable Body and ensure proper administration of all financial affairs.

- 11.4 The Chair of the Local Board can decide to convene a meeting where decisions need to be considered by the Local Boards which does not fit within the timeframe of the scheduled meetings. Where possible, the standard notice period will apply for any such meeting.
- 11.5 Where a meeting cannot be convened, urgent decisions can be endorsed by the Local Board through a written procedure.
- 11.6 Only in the most exceptional circumstances might it be considered necessary and appropriate for a matter of strategic importance usually reserved to the Main Board to be decided through this procedure. This will apply where a project cannot continue without a decision being approved, therefore posing a significant risk to project deliverability. This includes, but is not limited to:
- a) Time limited reallocation of funding
 - b) Changes to Heads of Terms
 - c) Changes to Mandatory Indicators and financial profiles
- 11.7 Written/Urgent Procedure:
- 11.7.1 Following consideration by Director of Regeneration and Growth/S151, a report in the usual meeting format and including reasons for urgency, will be circulated to the Chair/Vice chair to consider whether, due to the urgent nature of the decision to be made, it is necessary and appropriate for the decision to be made before the next meeting.
- 11.7.2 The Chair/Vice Chair may consult with Director of Regeneration and Growth /S151 or other officers to provide further information where required.
- 11.7.3 Within 5 working days of the report being presented, the Chair/Vice Chair will inform whether the decision is endorsed on behalf of the Board.
- 11.7.4 For transparency the report, reasons for urgency, and decision will be presented to the next Local Board meeting.

12. Objections following Consultations

- 12.1 Project Leads will present any objections that have been received following consultation on Towns Fund projects to the Local Boards. The Local Board will consider the objections and alternative options prior to making a decision in consultation with the appropriate Cabinet member.

- 12.2 In the event that a decision cannot be agreed between Local Board and Cabinet member, a separate meeting will be held with the Leader, Cabinet Member, Chair of Local Board and Director of Regeneration and Growth to discuss/resolve difference of view.
- 12.3 The project will not proceed in the delivery phase until a decision has been made.

Annex 1

Type of Variation	Scale of Variation	Action Required	Requires Local Board endorsement?	Delegated Authority to approve	Approval required from DLUHC	Action following DLUHC approval
Heads of Terms Financial	Any Changes to the Heads of Terms	Submit Project Adjustment Request	Yes	Director of Regeneration & Growth in consultation with Cabinet Member and S151 Officer *(subject to May 22 Cabinet approval)	Yes S151 sign off required	Issue Deed of Variation
	A decrease/increase of grant funds to be drawn down by the project which is less than £250,000					
	A decrease/increase of grant funds to be drawn down by the project which is greater than £250,000					
	Any decrease of match funding					
	An increase in the match funding cost of the project without impact to the agreed funding for the project, the outputs/ outcomes or project completion	Update PMO	n/a	Towns Fund Programme Manager	No	Issue Re-profile letter Report to Local Board
Time/ Schedule	Slippage of milestones with no effect on total grant, completion date, outputs/outcomes	Update PMO	No	Towns Fund Programme Manager	Tbc	Issue Re-profile letter Report to Local Board
	Slippage of outcomes and/ or grant claim profile, requiring re-profiling across future financial years with no overall change to project	Submit Project Adjustment Request	Yes	Director of Regeneration & Growth in consultation with S151 Officer*	Yes S151 sign off required	Issue Re-profile letter Report to Local Board
Outcomes/Outputs	An increase in the outputs and outcomes of the project.	Quarterly reporting by project lead	No	Towns Fund Programme Manager	No	Report to Local Board
	Any decrease to Mandator indicators outputs and outcomes of the project.	Submit Project Adjustment Request	Yes	Director of Regeneration & Growth, in consultation with S151 Officer and Cabinet Member	Yes S151 sign off required	Issue Deed of Variation
	Any decrease to Local Measures	Submit Project Adjustment Request	Yes	Director of Regeneration & Growth	Tbc	Issue Re-profile letter
Other	Changes to project contact information, administrative errors and others which have no impact to approved outcomes, outputs or grant.	Inform Project Lead/PMO	No	Towns Fund Programme manager	Tbc	Update documentation and Local Board where applicable

Smethwick Town Deal Board

28 June 2022

Appendix Item:	Smethwick Town Deal Board Membership (As approved by Cabinet May 2022)
Contact Officer:	Rina Rahim/ Emma Parkes Town_deal@sandwell.gov.uk

Name	Representing/ Organisation
Alan Taylor	Chair of Smethwick Town Deal Board/ MI Glass
Bel Sixsmith	West Midlands Police
Cllr Ahmed	SMBC Cabinet Member
Cllr Shaeen	SMBC Smethwick Town Lead
Cllr Piper	SMBC Cabinet Member
David Holden	Sandwell College
Gareth Brown	Raglan Road Church
Jatinder Singh	Guru Nanak Gurdwara
Jennifer Harrison	Brasshouse Community Centre
John Wood	Liberty Engineering
Leona Bird	SCVO
Mohammed Iqbal	Young Persons Representative
Muskaan Shabir	Young Persons Representative
Omar Rashid	Business Representative
Rob Lake	The Albion Foundation
<i>Vacancy</i>	<i>Sandwell and West Birmingham CCG</i>
<i>Vacancy</i>	<i>WMCA Officer Level</i>
<i>Vacancy</i>	<i>Smethwick Ward Member</i>
Transferred from Sandwell Superboard	
Cllr Carmichael	SMBC Leader
Cllr Hughes	SMBC Cabinet Member for Regeneration and Growth
Geoff Layer	Black Country LEP
Jo Nugent	Homes England
John Spellar	MP Warley Constituency
Jude Thompson	Vice Chair of Smethwick Town Deal Board
Sandeep Shingadia	Transport for West Midlands

Name	Representing/ Organisation
SMBC Officer Representatives	
Kim Bromley-Derry	Managing Director Commissioner
Surjit Tour	Monitoring Officer
Tony McGovern	Director, Regeneration and Growth
Chris Hilton	Interim Service Manager for Assets and Land
Jane Lillystone	Service Manager for Culture and Tourism
Kelly Thomas	Employment and Skills
Jenna Langford	Regeneration Manager
Rina Rahim	Towns Fund Programme Manager
Emma Parkes	Towns Fund Programme Officer
Hayley Insley	Smethwick Town Lead
Clinton Felicio	Smethwick Town Lead Officer