



Investment Board

Monday 11 December 2023 at 10.00am

Minutes

Present

Councillor Mike Bird	Walsall Metropolitan Borough Council
Councillor Karen Grinsell	Solihull Metropolitan Borough Council
Councillor Peter Hughes	Sandwell Metropolitan Borough Council
Councillor Stephen Simkins	City of Wolverhampton Council
Sue Summers	West Midlands Development Capital

In Attendance on Microsoft Teams

Paul Brown	Business Representative
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Officers

Dan Essex	Governance & Scrutiny Manager
Linda Horne	Executive Director of Finance & Business Hub
Ian Martin	Director of Commercial & Investment
Kieran Stockley	Head of Legal Services

78. Appointment of Chair

In the absence of the Chair, Councillor Karen Grinsell was appointed to chair this meeting.

79. Apologies for Absence

Apologies for absence were received from Councillor Jim O'Boyle (Coventry), Councillor Bob Sleight (Portfolio Lead for Finance), Councillor Sharon Thompson (Birmingham) and Gary Taylor (Greater Birmingham & Solihull LEP).

80. Minutes - 13 November 2023

The minutes of the meeting held on 13 November 2023 were agreed as a correct record.

In respect of minute no. 72 ('Stone Yard Development Site'), the Head of Legal Services clarified that because the resolution was not proscriptive on the project's start date, the decision of the Interim Executive Director of Housing, Property & Regeneration to vary the start date did not contradict the board's resolutions, nor were there any financial implications arising from the amended start date.

81. Investment Programme Update

The board considered a report from the Director of Commercial & Investment on the status of the Investment Programme to help set the context for decisions being made at this meeting.

Councillor Peter Hughes noted that the Metro Wednesbury to Brierley Hill Extension project had a 'red' forecast completion date. The Director of Commercial & Investment explained that he was currently awaiting a revised project completion date by means of a Change Request submission. He expected to be able to revise the dashboard following approval of it.

Resolved:

- (1) It be noted that there had been no new approvals of business case submissions under delegated authority by officers since the previous meeting of the board.
- (2) The Investment Programme funding status and current affordable limit be noted.
- (3) The Regional Investment Programme delivery update, including the project-level summary within the Investment Programme dashboard, be noted.

82. Update Report: City Region Sustainable Transport Settlement - Q2 2023/24

The board considered a report from the Head of Transport Strategy & Planning on an update on the £1.05bn West Midlands City Region Sustainable Transport Settlement programme.

Councillor Stephen Simkins enquired as to how the funding in the City Region Sustainable Transport Settlement 2 programme would be allocated. The Head of Transport Strategy & Planning indicated that it was likely that the forthcoming Local Transport Plan update would influence the projects that were taken forward with this funding, although there was considerable time leading up to 2027 to undertake this work. The Chair reminded the board that it was its remit to monitor the delivery of the City Region Sustainable Transport Settlement projects, rather than decide which projects would be taken forward. Councillor Mike Bird indicated that it would be helpful for a future WMCA Board to receive a report that set out how the funding was to be used.

Councillor Peter Hughes noted that 5% of the programme was designated a 'red' risk, and enquired as to whether this was sufficient. The Head of Transport Strategy & Planning explained that a number of the projects were still quite immature, and the risk rating would be refined as the project developed. He expected the end of year review report to reflect these changes.

Resolved:

- (1) The report be endorsed, including:
 - (a) The status of the City Region Sustainable Transport Settlement change control application submitted to Department for Transport.

- (b) The terms, process and content of the City Region Sustainable Transport Settlement 1 programme re-base submission approved by the WMCA Board on 15 September 2023 in response to the Department for Transport's 'once in a programme' opportunity to re-baseline the programme.
- (c) The monitoring & evaluation and reporting requirements associated with the City Region Sustainable Transport Settlement.
- (d) The Quarter 2 2023-24 progress.
- (e) The implications for the West Midlands of the announcement of Network North and City Region Sustainable Transport Settlement 2.

83. WMCA Commercial Investment Fund Dashboard

The board considered a report detailing the Commercial Investment Fund dashboard as at 1 December 2023.

Resolved:

That the report be noted.

84. WMCA Brownfield Land & Property Development Fund Dashboard

The board considered a report detailing the Brownfield Land & Property Development Fund dashboard as at 1 December 2023.

Resolved:

That the report be noted.

85. WMCA Residential Investment Fund Dashboard

The board considered a report detailing the Residential Investment Fund dashboard as at 1 December 2023.

Resolved:

That the report be noted.

86. Exclusion of the Public and Press

Resolved:

That in accordance with Section 100A4 of the Local Government Act 1972, the press and the public be excluded from the meeting during the consideration of the following items of business as they involve the likely disclosure of exempt information relating to the business affairs of any particular person (including the authority holding that information).

87. Goold Estates, Bilston Urban Village (Wolverhampton)

The board considered a report from the Director of Commercial & Investment seeking approval to make an investment in the form of a loan and grant, and detailing the powers and ability of the WMCA to make such an investment. The proposed investment would facilitate the development of 166,500ft² of new industrial space at Bilston Urban Village.

Councillor Stephen Simkins noted that this proposed development was close to Pipe Hall, which was in WMCA ownership also needed redevelopment. He enquired as to whether there could be more collaboration in the development of these sites. Ian Martin explained that the Pipe Hall site was the responsibility of Housing, Property & Regeneration directorate, and he would request that an update report on the site could be submitted to the meeting of the board on 12 February 2024.

Resolved:

- (1) The powers and ability of the WMCA to make the proposed loan and grant be noted.
- (2) The comments made by the Investment Panel when this proposal was presented to it be noted.
- (3) The investment providing a loan to Goold Estates (Bilston) Ltd for a term of four years under the Commercial Investment Fund for the amount and in accordance with the terms and conditions set out within the report, and the provision of a grant for the amount set out in the report from the Brownfield Land & Property Development Fund to the borrower in accordance with the terms and conditions set out within the report be approved.
- (4) Power be delegated to the Director of Commercial & Investment to negotiate and agree any other terms and conditions of the loan and grant that were not set out in the report.
- (5) Power be delegated to the Director of Commercial & Investment to exercise the rights granted to the WMCA under the terms of the loan, and grant to authorise Goold Estates (Bilston) Ltd on such terms as shall be considered appropriate to either:
 - (i) transfer of any part of the development site, and/or
 - (ii) grant of any lease, easement, wayleave, or other instrument in each case to either:
 - (a) any utility company, and/or
 - (b) any local authority in the exercise of its planning and highway functions, and
 - (c) any third party in the discharge of any planning obligation.

[NB. Councillor Stephen Simkins declared a non-prejudicial interest in this item due to the development taking place in the ward he represented as a Wolverhampton councillor.]

88. Walsall Bus Station Acquisition

The board considered a report from the Executive Director of Transport for West Midlands seeking to acquire and own Walsall bus depot.

Councillor Peter Hughes noted that the proposed acquisition had progressed at speed. The Executive Director for Finance & Business Hub explained that this was a strategic asset acquisition opportunity for the WMCA that had arisen following discussions with bus operators. She confirmed that the acquisition would stand on its own as an investment, with the driver for the acquisition being the potential for the WMCA's ownership of this depot to play an important part in facilitating any future decision to consider bus franchising options.

Councillor Stephen Simkins enquired as to whether similar opportunities existed in respect of other bus depots in the region. The Executive Director for Finance & Business Hub explained that Transport for West Midlands was producing a Bus Depot Strategy that would identify the strategic assets it needed to help open up the bus market.

Councillor Mike Bird expressed his disappointment that he had not been previously briefed about this proposal given that he was both the WMCA's Portfolio Lead for Transport and the Leader of Walsall Metropolitan Borough Council.

Resolved:

- (1) The powers and ability of the WMCA to make the proposed investment be noted.
- (2) Acquisition of the freehold title of the National Express bus depot in Walsall at the total cost as set out within the report, including the purchase price and ancillary costs, be approved.
- (3) The simultaneous lease back to National Express at the negotiated rent following advice from expert commercial partners, on the terms as set out within the report, be approved.
- (4) Authority be delegated to the Executive Director of Transport for West Midlands, in consultation with the s.151 Officer and Monitoring Officer, to negotiate and agree the commercial terms of the lease and purchase, provided that the broad terms were in accordance with the report, and for the Executive Director of Transport for West Midlands to either:
 - (i) transfer any part of the investment property, or
 - (ii) grant any lease, easement, wayleave, or other instrument.

89. WMCA Commercial Investment Fund Dashboard

The board considered a report detailing the Commercial Investment Fund dashboard as at 1 December 2023.

Resolved:

That the report be noted.

90. WMCA Brownfield Land & Property Development Fund Dashboard

The board considered a report detailing the Brownfield Land & Property Development Fund dashboard as at 1 December 2023.

Resolved:

That the report be noted.

91. WMCA Residential Investment Fund

The board considered a report detailing the Residential Investment Fund dashboard as at 1 December 2023.

Resolved:

That the report be noted.

92. Land & Property Investment Fund

The board considered a report detailing the Land & Property Investment Fund dashboard as at 30 November 2023.

The Chair requested that an officer be in attendance at future meetings of the board to present this report.

Resolved:

That the report be noted.

93. Date of Next Meeting

Monday 15 January 2024 at 10.00am

[The meeting ended at 11.05am]