



**WMCA Board**

**Friday 18 March 2022 at 11.00 am**

**Minutes**

**Constituent Members**

Andy Street (Chair)	Mayor of the West Midlands
Councillor Steve Clark	Dudley Metropolitan Borough Council
Councillor Karen Grinsell	Solihull Metropolitan Borough Council
Councillor Brigid Jones	Birmingham City Council
Councillor Stephen Simkins	City of Wolverhampton Council

**Non-Constituent Members**

Councillor Matthew Dormer	Redditch Borough Council
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**In Attendance**

Councillor Cathy Bayton	Overview & Scrutiny Committee
Khuram Mahmood	Young Combined Authority
Councillor Lisa Trickett	Overview & Scrutiny Committee

**In Attendance via Microsoft Teams**

Anita Bhalla	Greater Birmingham & Solihull Local Enterprise Partnership
Councillor Mike Bird	Walsall Metropolitan Borough Council
Councillor Kath Hartley	Transport Delivery Committee
Kashmire Hawker	Young Combined Authority
Talha Ikhtlaq	Young Combined Authority
Councillor Tony Jefferson	Stratford-on-Avon District Council
Rob Johnston	Midlands Trades Union Congress
Councillor Jeremy Oates	Tamworth Borough Council
Councillor Izzi Seccombe	Warwickshire County Council
Councillor Bob Sleight	Solihull Metropolitan Borough Council
Mark Smith	Audit, Risk & Assurance Committee
Councillor Kristofer Wilson	Nuneaton & Bedworth Borough Council

**124. Apologies for Absence**

Apologies for absence were received from Lee Barron (Midlands TUC), Councillor Ian Brookfield (Wolverhampton), Councillor Andrew Day (Warwick), Councillor Kerrie Carmichael (Sandwell), Councillor Ian Courts (Solihull), Councillor Maria Crompton (Sandwell), Councillor Shaun Davies (Telford & Wrekin), Councillor George Duggins (Coventry), Councillor Patrick Harley (Dudley), Councillor Abdul Khan (Coventry), Councillor Seb Lowe (Rugby), Councillor Olivia Lyons (Cannock Chase), Councillor Ian Ward (Birmingham) Tom Westley (Black Country LEP) and Sarah Windrum (Coventry & Warwickshire LEP).

**125. Inquorate Meeting**

The Chair reported that because only four constituent authorities were present in attendance at the meeting, under the terms of the WMCA's constitution the meeting was inquorate. Following advice from the Monitoring Officer, it had been agreed that the decisions subsequently taken would formally be recommendations to the Chief Executive, who would then approve those recommendations using her delegated authority to do so under the provisions of the constitution.

**126. Minutes**

The minutes of the meeting held on 11 February 2022 were agreed as a correct record.

**127. Forward Plan**

The forward plan of items to be reported to future meetings of the board was noted.

**128. Trailblazer Devolution Deal**

The board considered a report of the Director of Inclusive Growth & Public Service Reform on the proposed plans for co-ordinating the WMCA's response to the Government's invitation to negotiate a Trailblazer Devolution Deal.

Resolved:

The proposed approach to developing and negotiating the Trailblazer Devolution Deal be endorsed.

**129. Financial Monitoring 2021/22**

The board considered a report of the Director of Finance on the WMCA's finances as at the end of January 2022.

Resolved:

- (1) The financial position as at 31 January 2022 be noted.
- (2) The latest 2021/22 forecast, and confirmation of the 2022/23 Adult Education Budget, be noted.
- (3) The acceptance of the Social Housing Decarbonisation Funding and the budget for the project be approved.
- (4) It be noted that the arrangements for the 2022/23 successor of Integrated Transport Block and Highways Maintenance Grant were addressed within the City Region Sustainable Transport Settlement report to this meeting.
- (5) The relevant amendments to the Contractual Standing Orders within the WMCA constitution, enabling improvements to the efficiency and effectiveness of WMCA's procurement activity be approved.
- (6) The WMCA Pay Policy be approved.
- (7) The WMCA 2022/23 Annual Business Plan be noted.

**130. Independent Remuneration Panel**

The board considered a report of the Interim Director of Law & Governance on the commissioning of a review of members' allowances by an Independent Remuneration Panel.

Resolved:

- (1) It be agreed to establish an Independent Remuneration Panel consisting of the membership as detailed the report.
- (2) The Terms of Reference for the review as detailed in the report be agreed, including the requirement for the Independent Remuneration Panel to make recommendations on whether allowances could and should be provided in respect of the roles and responsibilities of all of the boards/committees of the WMCA.

[Andy Street and Councillor Bob Sleigh declared non-prejudicial interests in this item as it was expected that the Independent Remuneration Panel would subsequently make recommendations relating to the remuneration that should be paid to the Mayor and Deputy Mayor positions.]

**131. The Marches Help to Own Project, Wolverhampton**

The board considered a report of the Director of Housing & Regeneration on the findings of an initial high-level review of the Help to Own pilot project commissioned by the WMCA and undertaken by AMION Consulting, which involved analysis of management information and consultation with key stakeholders.

Resolved:

- (1) The positive findings of a review undertaken by the WMCA into Help to Own, which provided strong evidence to support the case for a wider roll-out beyond the pilot project on policy grounds, consistent with the WMCA's approach to housing and regeneration and the Housing & Land Delivery Board's 2021/22 and 2022/23 deliverables be welcomed and endorsed.
- (2) It be noted that this was not an investment decision, and any future funding would need to be subject to receipt of an appropriate application and appraisal via the WMCA's Single Commissioning Framework.
- (3) The initial findings of a review of Help to Own be noted.
- (4) It be noted that monitoring the progress of Help to Own formed an important part of the Housing & Land Delivery Board's remit in relation to affordable housing, housing and regeneration deliverables and delivery of the commitments made in the Housing Deal to driving innovation and supporting new housing products.

- (5) It be noted that the Help to Own product was an innovative approach to making home ownership more accessible for some, but was not the sole solution to addressing affordable housing need in the region, and that the WMCA would continue to work with local authorities to ensure the appropriate mix of affordable housing was brought forward and agreed on a site-by-site basis.

**132. Equality Scheme 2022-24**

The board considered a report of the Director of Inclusive Growth & Public Service Reform seeking approval for publication of the Equality Scheme 2022-24 in March.

Resolved:

The final version of the 2022-24 Equality Scheme and Action Plan be approved.

**133. City Region Sustainable Transport Settlement**

The board considered a report of the Executive Director, Transport for West Midlands, seeking approval in principle for the final programme for the City Region Sustainable Transport Settlement as submitted to Government and noting the progress towards agreeing the terms and conditions for accepting the funding from Government.

Resolved:

- (1) The progress made following the submission of the regional City Region Sustainable Transport Settlement bid to Government in January 2022 be noted.
- (2) The Section 151 Officer be approved to accept the City Region Sustainable Transport Settlement (in full or an interim settlement), subject to any such settlement being in line with the original programme level business case agreed by the WMCA Board, and subject to the terms and conditions of the grant being acceptable to the Section 151 Officer.
- (3) The use of the Single Assurance Framework with some additional scheme assurance measures as set out in the programme business case as agreed by the WMCA Board in January 2022 be noted.
- (4) The extension of the role and remit of Investment Board to cover all WMCA transport projects (including the City Region Sustainable Transport Settlement programme) allowing investment decisions to be made for values between £5m and £20m in line with the Single Assurance Framework be approved.
- (5) The strengthening of the existing the Investment Panel to provide technical scrutiny and due-diligence support to the Investment Board and the WMCA Board on all proposed approvals for WMCA transport investment be noted, which would provide the Investment Panel with greater technical specialist knowledge and capacity to address these constraints within the workload of the existing panel.

- (6) The reporting and monitoring arrangements for the City Region Sustainable Transport Settlement be approved, with quarterly reporting and monitoring to the Strategic Transport Board and annual reporting to the WMCA Board and the Government respectively.
- (7) The volume of work falling to the WMCA as the Accountable Body and the number of investment decisions that would need to be made in a timely manner over the next five years be noted.
- (8) The use of the retained City Region Sustainable Transport Settlement capacity funding contingency to fund the Accountable Body and Assurance requirements associated with the fund be approved.
- (9) Subject to Government confirming the funding, the allocations for the following programmes be approved, and it be endorsed that these programmes needed not be subject to the standard Single Assurance Framework assurance processes as these were overarching programme allocations:
  - (a) £7m from the overall City Region Sustainable Transport Settlement programme to cover data, modelling and mandatory monitoring and evaluation costs over the lifetime of the programme.
  - (b) The Local Network Improvement Plans (essentially the replacement for Integrated Transport Block) to local authorities and the WMCA.
  - (c) Highways maintenance allocations to relevant local authorities.
- (10) It be noted that this meeting would also be asked to consider under separate agenda items urgent funding decisions on four schemes to be funded through the City Region Sustainable Transport Settlement programme (see minute nos. 134, 135, 136 and 137 below).

**134. Outline Business Case: EV CATS - Electric Vehicle Charging Area Transit Stations**

The board considered a report of the Executive Director, Transport for West Midlands, seeking approval of the outline business case which sought a non-refundable grant of £14m from City Region Sustainable Transport Settlement and £2.2m from the Brownfield Land & Property Development Fund to support the creation of ten electric vehicle charging area transit stations.

Resolved:

- (1) The investment of £14m of City Region Sustainable Transport Settlement funds in the EV CATS project be approved, subject to the WMCA securing Government approval towards the regional City Region Sustainable Transport Settlement funding settlement, together with appropriate terms and conditions which were subject to a separate report at this meeting (see minute no. 133 above).

- (2) The investment of £2.2m from the Brownfield Land & Property Investment Fund, as recommended by the Investment Board and subject to the overall approval of the City Region Sustainable Transport Settlement investment at the WMCA Board as indicated above, be approved.
- (3) £6.5m from the £14m allocated City Region Sustainable Transport Settlement funds and £1.5m from the £2.2m Brownfield Land & Property Investment Fund be approved to be invested at this outline business case stage as required for site acquisition, site preparation and ancillary costs, including set up of the delivery company ahead of the full investment under the full business case (with the condition as noted above), noting that the early release of the sums were from the totals in resolutions (1) and (2) above, not in addition to them.
- (4) It be noted that subject to the full business case approval at a future date, the WMCA capital investment of £7.722m was intended to be made from WMCA borrowing.

**135. Sprint - A34 Walsall to Birmingham and A45 Birmingham to Airport and Solihull Phase 2 Funding Confirmation**

The board considered a report of the Executive Director, Transport for West Midlands, providing an update on the A34 Walsall to Birmingham Sprint scheme, which was a Bus Rapid Transit proposal enhancing the link between Walsall town centre, Perry Barr and Birmingham city centre, ultimately connecting to the HS2 station at Curzon Street, and on the A45 Birmingham to Airport and Solihull Sprint scheme, which was a Bus Rapid Transit proposal enhancing the link between Birmingham Airport, Solihull, and Birmingham city centre, serving residents and businesses in Digbeth, Sheldon and Yardley.

Resolved:

- (1) The addendums to the Sprint A34 and Sprint A45 full business cases, which detailed the second stage of delivery for 2024, including bus priority interventions, cycling and walking infrastructure, signal upgrades, shelter enhancements, ticket machines, and utility diversions be endorsed.
- (2) The £30.6m City Region Sustainable Transport Settlement allocation for the delivery of phase 2 of the A34 Walsall to Birmingham Sprint scheme be approved, subject to Department for Transport confirmation of the City Region Sustainable Transport Settlement programme and the Section 151 Officer accepting the City Region Sustainable Transport Settlement.
- (3) The £25.4m City Region Sustainable Transport Settlement allocation for the delivery of phase 2 of the A45 Birmingham to Airport and Solihull Sprint scheme be approved, subject to Department for Transport confirmation of the City Region Sustainable Transport Settlement programme and the Section 151 Officer accepting the City Region Sustainable Transport Settlement.

- (4) It be noted that as construction and utility costs for the scheme were not yet finalised, the project team might need to flexibly manage the scope of the scheme in order to maintain the overall budget, and this would be managed to ensure that the benefits were not materially affected, and appropriate change control processes were implemented.
- (5) The inclusion of cycling and walking measures within phase 2 delivery be noted.
- (6) It be noted that realising the full benefits in the business case and on-going affordability of WMCA revenue liabilities arising from the scheme were predicated on all areas pursuing the principles recently agreed in the Local Transport Plan core strategy.
- (7) The delegation of authority to officers as set out in the report be approved.
- (8) The authorisation of the award of contracts to the successful tenderer for the design and build stage be jointly delegated to the Monitoring Officer and Section 151 Director of Finance, subject to:
  - (a) The total cost for both A34 and A45 phase 2 projects being within the £56m recommended budget.
  - (b) Any future revenue costs falling to the WMCA being accommodated.
  - (c) All funding agreements being signed and sealed to the satisfaction of the Section 151 Director of Finance and Monitoring Officer.

**136. Metro - Depot Expansion Business Case for City Region Sustainable Transport Settlement**

The board considered a report of the Executive Director, Transport for West Midlands, seeking approval of the full business case for the West Midlands Metro depot expansion scheme.

Resolved:

- (1) The requirement for the depot investment to enable the expansion of the West Midlands Metro network be noted and the full business case for the project be approved.
- (2) A total budget of £43.35m (including a City Region Sustainable Transport Settlement contribution of £37.35m) to deliver the depot expansion be approved, subject to:
  - (a) The WMCA securing Government approval towards the regional City Region Sustainable Transport Settlement funding settlement together with appropriate terms and conditions, which was subject to a separate report to the board.
  - (b) Endorsement of the final business case by the Investment Board.

- (3) The intention to instruct the Midland Metro Alliance to deliver the scheme, being the preferred delivery partner, be noted.
- (4) It be noted that the full business case for the project would be considered by the Investment Board on 21 March 2022 which was required to fully address the assurance obligations of the investment, and that any material matters arising from that review would be referred back to the WMCA Board in June 2022.
- (5) The Monitoring Officer and the Director of Finance be authorised to jointly agree for the WMCA to enter into any such contracts which might be reasonably required to allow for the project to be delivered.

**137. Metro - Power Supply Business Case for City Region Sustainable Transport Settlement**

The board considered a report of the Executive Director, Transport for West Midlands, seeking approval of the full business case for the West Midlands Metro Line 1 Power Supply upgrade scheme.

Resolved:

- (1) The requirement for the Line 1 Power Supply investment to enable the expansion of the West Midlands Metro network be noted and the full business case for the project be approved.
- (2) A total budget of £17.3m (including a City Region Sustainable Transport Settlement contribution of £12.6m) to deliver the power supply investment be approved, subject to:
  - (a) The WMCA securing Government approval towards the regional City Region Sustainable Transport Settlement funding settlement together with appropriate terms and conditions, which was subject to a separate report to the meeting.
  - (b) Confirmation thereafter that the project remained within the £17.3m budget for the scheme, when proposals were finalised.
  - (c) Endorsement of the final business case by the Investment Board.
- (3) The intention to instruct the Midland Metro Alliance to deliver the scheme, being the preferred delivery partner, be noted.
- (4) It be noted that the full business case for the project would be considered by the Investment Board on 21 March 2022 which was required to fully address the assurance obligations of the investment, noting that any material matters arising from that review would be referred back to the WMCA Board in June 2022.
- (5) The Monitoring Officer and the Director of Finance be jointly authorised to agree for the WMCA to enter into any such contracts which might be reasonably required to allow for the project to be delivered.



**138. A Review of the WMCA's Housing & Land Policy: Helping to Deliver Affordable and Social Housing**

The board considered a report of the Overview & Scrutiny Committee on the findings of a scrutiny review undertaken to examine the role and remit of the WMCA to deliver affordable and social housing within the West Midlands through the use of devolved housing and land funds and to consider how this supported and added value to the responsibilities of the constituent authorities in respect of affordable and social housing provision.

Resolved:

The conclusions and recommendations of the Overview & Scrutiny Committee be supported.

**139. Economic Growth Board - 2 February 2022**

The board received the minutes of the Economic Growth Board meeting held on 2 February 2022.

Resolved:

The minutes of the meeting held on 2 February 2022 be noted.

**140. Transport Delivery Committee - 7 February 2022**

The board received the minutes of the Transport Scrutiny Committee meeting held on 7 February 2022.

Resolved:

The minutes of the meeting held on 7 February 2022 be noted.

**141. Investment Board - 14 February 2022**

The board received the minutes of the Investment Board meeting held on 14 February 2022.

Resolved:

The minutes of the meeting held on 14 February 2022 be noted.

**142. Housing & Land Delivery Board - 2 March 2022**

The board received the minutes of the Housing & Land Delivery Board meeting held on 2 March 2022.

Resolved:

The minutes of the meeting held on 2 March 2022 be noted.

**143. Overview & Scrutiny Committee - 7 March 2022**

The board received the minutes of the Overview & Scrutiny Committee meeting held on 7 March 2022.

Resolved:

The minutes of the meeting held on 7 March 2022 be noted.

**144. Young Combined Authority - March Update**

The board considered a report setting out the activity of the Young Combined Authority during March.

Resolved:

The update be noted.

**145. Exclusion of the Public and Press**

Resolved:

In accordance with s100(A) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business as they are likely to involve the disclosure of exempt information as specified in the paragraphs of the Act.

**146. Senior Leadership Team Appointments**

The board considered a report of the Chief Executive seeking approval for the appointment to the proposed positions for the Executive Director posts of Economic Delivery, Skills & Communities and Strategy, Integration & Net Zero.

Resolved:

- (1) The appointment of Dr Julie Nugent to the post of Executive Director - Economic Delivery, Skills & Communities be agreed.
- (2) The appointment of Ed Cox to the post of Executive Director - Strategy, Integration & Net Zero be agreed.

**147. Outline Business Case: EV CATS - Electric Vehicle Charging Area Transit Stations**

The board considered a report of the Executive Director, Transport for West Midlands, providing further financial information to support the item on the EV CATS project considered earlier in the meeting.

Resolved:

- (1) Further to minute no. 134 above, the detailed commentary on the business case, financial and legal aspects of the EV CATS project be noted.
- (2) Approval of the investment of £14m of City Region Transport Settlement funds in the EV CATS project be confirmed, subject to the WMCA securing Government approval towards the regional City Region Sustainable Transport Settlement funding settlement together with appropriate terms and conditions, which was subject to a separate report at the meeting (see minute no. 134 above).

- (3) Approval the investment of £2.2m from the Brownfield Land & Property Investment Fund be confirmed, as recommended by the Investment Board and subject to the overall approval of the City Region Sustainable Transport Settlement investment at the WMCA Board as indicated above.
- (4) Approval of £6.5m from the £14m allocated City Region Sustainable Transport Settlement funds and £1.5m from the £2.2m Brownfield Land & Property Development Fund be confirmed to be invested at this outline business case stage as required for site acquisition, site preparation and ancillary costs, including set up of the Delivery Company ahead of the full investment under the full business case (with the condition as noted above).

**148. Date of Next Meeting**

Friday 10 June 2022 at 11.00am.

The meeting ended at 1.00pm.