



West Midlands Combined Authority

WMCA Board

Friday 28 October 2022 at 11.00 am

Minutes

Constituent Members

Andy Street (Chair)	Mayor of the West Midlands Combined Authority
Councillor Bob Sleight (Vice-Chair)	Solihull Metropolitan Borough Council
Councillor Steve Clark	Dudley Metropolitan Borough Council
Councillor Ian Courts	Solihull Metropolitan Borough Council
Councillor George Duggins	Coventry City Council
Councillor Peter Hughes	Sandwell Metropolitan Borough Council
Councillor Brigid Jones	Birmingham City Council
Councillor Abdul Khan	Coventry City Council
Councillor Stephen Simkins	City of Wolverhampton Council
Councillor Ian Ward	Birmingham City Council

Non-Constituent Members

Councillor Matthew Dormer	Redditch Borough Council
Councillor Tony Jefferson	Stratford-on-Avon District Council
Councillor Sue Markham	Nuneaton & Bedworth Borough Council
Tom Westley	Black Country Local Enterprise Partnership

Observer Members Awaiting Membership

Councillor Andrew Day	Warwick District Council
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In Attendance

Councillor Cathy Bayton	Overview & Scrutiny Committee
Maya Chung	Young Combined Authority
Yesmeen Singh	Young Combined Authority
Mark Smith	Audit, Risk & Assurance Committee

Item Title

No.

37. Apologies for Absence

Apologies for absence were received from Lee Barron (Midlands TUC), Anita Bhalla (Greater Birmingham & Solihull LEP), Councillor Mike Bird (Walsall), Councillor Greg Brackenridge (West Midlands Fire Authority), Councillor Ian Brookfield (Wolverhampton), Councillor Kerrie Carmichael (Sandwell), Councillor Shaun Davies (Telford & Wrekin), Councillor Patrick Harley (Dudley), Councillor Seb Lowe (Rugby), Councillor Bob Piper (Sandwell), Councillor Izzi Seccombe (Warwickshire), Councillor Kris Wilson (Nuneaton & Bedworth) and Sarah Windrum (Coventry & Warwickshire LEP).

38. Minutes - 15 July 2022

The minutes of the meeting held on 15 July 2022 were agreed as a correct record, subject to an amendment to minute no. 35 ('Metro Affordability') to reflect that funding had been allocated to the Arden Cross multi-storey car park project and this would be unaffected by funding issues related to the Wednesbury - Brierley Hill metro extension.

39. Forward Plan

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

40. Regional Activity & Delivery Update

The board received an update from the Chief Executive on recent activity of the WMCA, including highlights since the last meeting, and the latest regional trends relating to the economy and cost of living pressures.

Councillor Stephen Simkins sought further information regarding the WMCA's activity regarding the retro fitting of housing to improve energy efficiency. The Executive Director of Strategy, Integration & Net Zero explained that the WMCA was working on a collaborative regional bid for Government funding that was due to be submitted by 18 November. If this bid was successful, work would then be undertaken to align the funding with private investment and other Government funding to maximise the regional impact. Councillor Ian Courts welcomed this update and stressed the importance of highlighting the work being done in this key area.

Resolved:

The update be noted.

41. Trailblazer Devolution Deal

The board considered a report from the Executive Director of Strategy, Integration & Net Zero on recent developments with the Government regarding the emerging timetable for the negotiation and announcement of a Trailblazer Devolution Deal with the West Midlands.

Summary versions of all the proposals had been compiled into a single document. This document 'Getting Devo Ready' provided a summary of each proposal, the benefits (both regionally and locally) that was intended to unlock opportunities for 'double devolution', and which groups had been involved in its development. This has been prepared in close collaboration with local authority officers, and where feedback on the proposals had been provided, the WMCA had, in turn, provided responses to that feedback.

The Chair indicated that he considered the recent re-appointment of Michael Gove MP as Secretary of State for Levelling Up, Housing & Communities a positive indication that the Government was seeking a comprehensive devolution deal agreement with the West Midlands.

Resolved:

The proposed timetable and approach to further developing and negotiating the Trailblazer Devolution Deal be endorsed, subject to confirmation from the Government.

42. UK Shared Prosperity Fund Investment Plan

The board considered a report from the Executive Director of Economic Delivery, Skills & Communities seeking approval of the submission of the UK Shared Prosperity Fund Investment Plan to the Department for Levelling Up, Housing & Communities.

The UK Shared Prosperity Fund was a central pillar of the Government's levelling up agenda. Its primary goal was to build pride in place and increase life chances across the UK, with three key investment priorities around 'Community and Place', 'Supporting Local Business' and 'People and Skills' (including the adult numeracy programme 'Multiply'). The WMCA had been identified as the lead authority and accountable body for the Shared Prosperity Fund across the seven constituent authority area, with responsibility for developing its investment plan and for delivery of the fund thereafter. The WMCA had welcomed the opportunity to lead a strategic and joined-up approach, working with local authorities to identify local and regional investment priorities that supported the region's levelling up ambitions.

Councillor George Duggins expressed his disappointment that the levels of funding available were to be significantly less had been previously suggested. He considered that the region should continue to make the case that levelling up would only be achieved through a greater share of national funding being allocated to the West Midlands. Councillor Peter Hughes expressed his disappointment at the methodology used to determine the local allocation of funding, which he considered did not sufficiently recognise the need that existed within Sandwell.

Resolved:

- (1) The submission of the UK Shared Prosperity Fund Investment Plan to the Department for Levelling Up, Housing & Communities to secure the West Midlands' £88m allocation for the Shared Prosperity Fund for the next three years be approved, noting that the Investment Plan should be submitted as soon as possible given that all other authorities had already submitted their plans and that year one funds were to be spent by 31 March 2023.
- (2) Authority to accept any funding awarded as a result of the submission be delegated to the Executive Director of Economic Delivery, Skills & Communities, in consultation with the Portfolio Lead for Economy & Innovation and the s151 Officer.

- (3) Authority to carry out commissioning of UK Shared Prosperity Fund funding, including any procurement activity as required, be delegated to the Executive Director of Economic Delivery, Skills & Communities, in consultation with the Portfolio Lead for Economy & Innovation, the s151 Officer, Directors of Economic Development and Directors of Finance.
- (4) The final arrangements for the 4% administration allocation be delegated to the Executive Director of Economic Delivery, Skills & Communities, in consultation with the Portfolio Lead for Economy & Innovation, the s151 Officer, Directors of Economic Development and Directors of Finance, and that these arrangements be reported back to the Economic Growth Board for information.
- (5) The next steps to implement the Investment Plan be approved.

43. Financial Monitoring 2022/23

The board considered a report from the Executive Director of Finance & Business Hub on an update on the WMCA's finances as at 31 August 2022.

The position at the end of August showed a surplus of £2.177m, which was a favourable variance from budget of £1.288m. Within transport, there was a surplus at the end of August of £2.730m, which represented a favourable variance from budget of £1.376m. The most notable variances at this early stage of the year related to concessions where expenditure was less than budget due to lower patronage and fare levels, and within the metro budget where Local Transport Fund grant had now been received. Within the capital programme, actual costs totalled £142.4m, resulting in a favourable variance of £57.1m against budget.

Resolved:

- (1) The financial position as at 31 August 2022 be noted.
- (2) The latest forecast for 2022/23, including the change to the Value for Money criteria for Bus Access Standards to £4.10, be noted.
- (3) The update on Medium Term Financial Plan be noted.
- (4) The Levelling Up Fund bid submitted by the WMCA under delegations previously approved by the board be noted.
- (5) The grant award of £1.5m over three years from the Department for Levelling Up, Housing & Communities for rough sleeping be noted.
- (6) The award of £6.9m Made Smarter Phase 2 grant for 2023/24 - 2025/26 from the Department for Business, Energy & Industrial Strategy be noted.
- (7) The approval of the Multiply Investment Plan for £16.7m allocation and the award of £5.1m for 2022/23 activity be noted.

- (8) The recharge of 2022/23 Business Rates Growth monies be approved.
- (9) The West Midlands Co-Invest project update be noted and the setup of a new-wholly owned company for the fund, rather than using the existing West Midlands Development Capital structure, be approved.
- (10) The package of 'good will measures' offered by the contractor in relation to metro track replacement works on Corporation Street, Birmingham be noted.
- (11) The potential for the WMCA to bid to host the Intelligent Transport Systems World Congress in Birmingham in 2027, with the bid due to be submitted in early November, be noted.

[NB. Councillor Ian Ward declared an interest in this item in respect of Birmingham City Council's part-ownership of West Midlands Development Capital.]

44. Confirmation of Director of Law & Governance Appointment

The board considered a report from the Director of Finance & Business Hub on the appointment of the Director of Law & Governance and to formally confirm that the post would act as the WMCA's Monitoring Officer upon taking up the appointment.

The post of Director of Law & Governance was a key role in the organisation. It acted as the WMCA's statutory Monitoring Officer, and it was crucial that the WMCA had access to professional and timely legal and governance advice on a regular basis. The Employment Committee interviewed three candidates for the vacant post, and were able to recommend Helen Edwards for appointment to the permanent role of Director of Law & Governance and Monitoring Officer. Helen Edwards was currently Director of Law & Governance and Monitoring Officer at Norfolk County Council.

Councillor Bob Sleigh noted that the committee interviewed three strong candidates, but had agreed that Helen Edwards had demonstrated the skills and experience required of the post. He also thanked Satish Mistry for covering the position in an interim capacity since May 2021.

Resolved:

- (1) The appointment of Helen Edwards as Director of Law & Governance and statutory Monitoring Officer for the West Midland Combined Authority be endorsed.
- (2) It be noted that the appointment would take effect upon her taking up duties in early January 2023.

45. The Report of the Independent Remuneration Panel

The board considered a report from the Interim Director of Law & Governance setting out the recommendations of the Independent Remuneration Panel on a review the allowances paid to the Mayor and members of the WMCA. At its meeting in March, the board agreed to set up an Independent Remuneration Panel to consider:

- the allowances that should be paid to the Mayor and the Deputy Mayor;
- whether allowances should be recommended for Portfolio Leads;
- the allowances paid to Transport Delivery Committee and whether allowances should be recommended to other members of the WMCA.

The panel carried out a thorough review of members allowances, including undertaking extensive interviews with key stakeholders and considering comparative data across the country. The board were required under the provisions of the West Midlands Combined Authority (Functions and Amendment) Order 2017 to determine the allowances payable to the Mayor and the Deputy Mayor “in accordance with the recommendations of the Independent Remuneration Panel”.

Members expressed some concern regarding the means by which the recommendations of the panel had been reached, particularly in respect of the relationship between the allowance proposed for the Deputy Mayor and those paid by constituent member authorities for their Leader position. There was also significant concern that existing legislation prevented the membership of a pension scheme for members, which was proving to be a considerable deterrent for younger councillors pursuing more senior leadership positions. There was recognition though of the considerable personal time that members were required to give to their roles, along with the wider democratic concerns should otherwise well qualified individuals be unable to continue being councillors due to the unavoidable financial impact on their existing careers.

Resolved:

- (1) The Independent Remuneration Panel’s recommendation to increase the Mayoral allowance from £79,000 to £95,000 be approved.
- (2) The Mayoral allowance be not backdated to May 2021, as had been recommended by the Independent Remuneration Panel.
- (3) An interim Deputy Mayoral allowance of £10,000 be agreed, and that the recommended allowance of £31,675 (less any basic and special responsibility allowances received) be referred back to the Independent Remuneration Panel for further explanation and clarification as to how the benchmarking of the role had been undertaken, particularly in respect of comparisons against the responsibilities of a Leader of a metropolitan local authority.
- (4) The Deputy Mayor’s interim allowance be backdated to May 2021.

- (5) The Independent Remuneration Panel's suggestion to recommend to constituent authorities that they set an additional responsibility allowance for Portfolio Leads in the sum of £9,500 be not pursued.
- (6) It be agreed that the Monitoring Officer should write to the Secretary of State for Levelling Up, Housing & Communities to request that the West Midlands Combined Authority Order 2016 be further amended to allow the payment of allowances to all members and co-opted members of the WMCA.
- (7) It be agreed, pending the outcome of the transport governance review, to retain the allowances paid to the Chair and members of the Transport Delivery Committee.
- (8) It be agreed that the Chair of the Audit, Risk & Assurance Committee should receive a Chair's allowance of £9,500.
- (9) It be agreed that the Chair of Overview & Scrutiny Committee should receive a Chair's allowance of £6,650 and that it be backdated to May 2021.
- (10) It be agreed that all allowances should be index linked and increased annually as proposed.
- (11) It be agreed that the current scheme of travel and subsistence allowances should continue to apply to all members of the WMCA.

[NB. Andy Street declared a personal interest in this item and left the meeting room during the discussion and voting on resolutions (1) and (2) above.

Councillor Bob Sleigh declared a personal interest in this item and left the meeting room during the discussion and voting on resolutions (3) and (4) above.

Mark Smith declared a personal interest in this item and left the meeting room during the discussion and voting on resolution (8) above.

Councillor Cathy Bayton declared a personal interest in this item and left the meeting room during the discussion and voting on resolution (9) above.

In accordance with paragraph 18.12 of the constitution, Councillor Ian Ward wished it to be recorded in the minutes that he abstained on the vote on resolutions (1) and (2) above.]

46. Audit, Risk & Assurance Committee - 7 July 2022

The board considered the minutes of the Audit, Risk & Assurance Committee meeting held on 7 July 2022.

In respect of minute no. 7 ('Draft Process for Accounts and Process for Finalisation'), Mark Smith reported that it was hoped that the WMCA's 2021/22 accounts would be ready to be signed off on 15 November 2022 following the finalisation of the external audit. In respect of minute no. 8 ('Update on Public Sector Audit Appointment Process'), he reported that he had now been informed that Grant Thornton had been appointed as the WMCA's external auditor for a further five years.

Resolved:

The minutes of the inquorate meeting held on 7 July 2022 be approved.

47. Overview & Scrutiny Committee - 11 July 2022

The board considered the minutes of the Overview & Scrutiny Committee meeting held on 11 July 2022.

Resolved:

The minutes of the meeting held on 11 July 2022 be noted.

48. Transport Delivery Committee - 11 July 2022

The board considered the minutes of the Transport Delivery Committee meeting held on 11 July 2022.

Resolved:

The minutes of the meeting held on 11 July 2022 be noted.

49. Wellbeing Board - 13 July 2022

The board considered the minutes of the Wellbeing Board meeting held on 13 July 2022.

Resolved:

The minutes of the meeting held on 13 July 2022 be noted.

50. Investment Board - 18 July 2022

The board considered the minutes of the Investment Board meeting held on 18 July 2022. Councillor Bob Sleigh reported that although this meeting had been inquorate, the recommendations of the meeting were subsequently approved by the Chief Executive under paragraph 5.3 of the Scheme of Delegation of Functions to Chief Officers contained within the constitution.

Resolved:

The minutes of the meeting held on 18 July 2022 be noted.

51. Housing & Land Delivery Board - 20 July 2022

The board considered the minutes of the Housing & Land Delivery Board meeting held on 20 July 2022.

Resolved:

The minutes of the meeting held on 20 July 2022 be noted.

52. Investment Board - 15 August 2022

The board considered the minutes of the Investment Board meeting held on 15 August 2022.

Resolved:

The minutes of the meeting held on 15 August 2022 be noted.

53. Overview & Scrutiny Committee - 5 September 2022

The board considered the minutes of the Overview & Scrutiny Committee meeting held on 5 September 2022.

Resolved:

The minutes of the meeting held on 5 September 2022 be noted.

54. Wellbeing Board - 6 September 2022

The board considered the minutes of the Wellbeing Board meeting held on 6 September 2022.

Resolved:

The minutes of the meeting held on 6 September 2022 be noted.

55. Economic Growth Board - 23 September 2022

The board considered the minutes of the Economic Growth Board meeting held on 23 September 2022. The Chair reported that although this meeting had been inquorate, the recommendations of the meeting were subsequently approved by the Chief Executive under paragraph 5.3 of the Scheme of Delegation of Functions to Chief Officers contained within the constitution.

Resolved:

The minutes of the meeting held on 23 September 2022 be noted.

56. Environment & Energy Board - 28 September 2022

The board considered the minutes of the Environment & Energy Board meeting held on 28 September 2022.

Resolved:

The minutes of the meeting held on 28 September 2022 be noted.

57. Audit, Risk & Assurance Committee - 4 October 2022

The board considered the minutes of the Audit, Risk & Assurance Committee meeting held on 4 October 2022.

Resolved:

The minutes of the inquorate meeting held on 4 October 2022 be approved.

58. Housing & Land Delivery Board - 5 October 2022

The board considered the minutes of the Housing & Land Delivery Board meeting held on 5 October 2022.

Resolved:

The minutes of the inquorate meeting held on 5 October 2022 be approved.

59. Transport Delivery Committee - 10 October 2022

The board considered the minutes of the Transport Delivery Committee meeting held on 10 October 2022.

Resolved:

The minutes of the meeting held on 10 October 2022 be noted.

60. Investment Board - 17 October 2022

The board considered the minutes of the Investment Board meeting held on 17 October 2022.

In respect of minute no. 57 ('WMCA Position Regarding Funding & Investment in Relation to Overseas or Offshore Companies'), Councillor Stephen Simkins expressed his concern that the WMCA was investing with offshore and/or overseas companies and the implications that this had on those companies' payment of taxes in the UK. The Chair noted the comments, but stressed that there had been no recent change to the WMCA's policy in this regard and that the Investment Board had only received a briefing on this matter for its information.

Resolved:

The minutes of the meeting held on 17 October 2022 be noted.

61. Overview & Scrutiny Committee - 17 October 2022

The board considered the minutes of the Overview & Scrutiny Committee meeting held on 17 October 2022.

Resolved:

The minutes of the inquorate meeting held on 17 October 2022 be approved.

62. Young Combined Authority Update: Summer - October 2022

The board received an update from Maya Chung and Yesmeen Singh setting out the activity of the Young Combined Authority between Summer - October 2022.

The YCA had engaged with the Mental Health Commission in respect of exploring mental health in education settings. The commission had invited the YCA to review their recommendations and to work together on an event to engage more young people about their priorities in this area. The YCA had also engaged with over 1,000 young people to better understand issues and concerns regarding public transport.

Resolved:

The update be noted.

- 63. Date of Next Meeting**
Friday 18 November 2022 at 11.00am.

The meeting ended at 12.30 pm.