

Public Document Pack



Friday, 11 September 2020

To: Members of the SCR - Mayoral Combined Authority Board and Appropriate Officers

NOTICE OF MEETING

You are hereby summoned to a meeting of the Sheffield City Regional Mayoral Combined Authority to be held at **Virtual Meeting**, on: **Monday, 21 September 2020** at **10.00 am** for the purpose of transacting the business set out in the agenda.

A handwritten signature in black ink, appearing to read 'D. Smith'.

Dr Dave Smith
Chief Executive

Webcasting Notice

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Member Distribution

Mayor Dan Jarvis MBE (Chair)
Councillor Chris Read (Vice-Chair)
Councillor Garry Purdy
Councillor Julie Dore
Mayor Ros Jones CBE
Councillor Simon Greaves
Councillor Sir Steve Houghton CBE
Councillor Steve Fritchley
Councillor Tricia Gilby
Councillor Alex Dale
James Muir

SCR Mayoral Combined Authority
Rotherham MBC
Derbyshire Dales DC
Sheffield City Council
Doncaster MBC
Bassetlaw DC
Barnsley MBC
Bolsover DC
Chesterfield BC
NE Derbyshire DC
Chair of LEP Board

Agenda

| Agenda Ref No | Subject | Lead | Page |
|---------------|--|------------------|------|
| 1. | Welcome and Apologies | Mayor Dan Jarvis | |
| 2. | Announcements | Mayor Dan Jarvis | |
| 3. | Urgent Items To determine whether there are any additional items of business which by reason of special circumstances the Chair is of the opinion should be considered at the meeting; the reason(s) for such urgency to be stated. | Mayor Dan Jarvis | |
| 4. | Items to be Considered in the Absence of Public and Press To identify where resolutions may be moved to exclude the public and press. (For items marked * the public and press may be excluded from the meeting.) | Mayor Dan Jarvis | |
| 5. | Voting Rights for Non-constituent Members To identify whether there are any items of business that apply only to the South Yorkshire Members of the Mayoral Combined Authority, ie, where it would not be appropriate for non-SY Members to have voting rights. | Mayor Dan Jarvis | |
| 6. | Declarations of Interest by individual Members in relation to any item of business on the agenda Declarations of Interest by individual Members in relation to any item of business on the agenda. | Mayor Dan Jarvis | |
| 7. | Reports from and questions by members | Mayor Dan Jarvis | |
| 8. | Receipt of Petitions | Mayor Dan Jarvis | |

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| 9. | Public Questions | Mayor Dan Jarvis | |
| 10. | Minutes of the previous meeting | Mayor Dan Jarvis | 7 - 16 |
| 11. | Integration Of The SYPTTE With The MCA | Dr R Adams | 17 - 20 |
| 12. | Adult Education Budget | Ms Jacquie Chambers | 21 - 24 |
| 13. | LGF Capital Programme Approvals | Ms Sue Sykes | 25 - 32 |
| 14. | SCR MCA Budget Revision | Mr Gareth Sutton | 33 - 46 |
| 15. | Cladding Remediation Of High Rise Buildings | Mr Colin Blackburn | 47 - 54 |
| 16. | Governance Arrangements to Support the Leadership of Thematic Priorities | Dr D Smith | 55 - 96 |
| 17. | Delegated Authority Report | Dr D Smith | 97 - 102 |
| <p>Date of next meeting: Monday, 16 November 2020 at 10.00 am At:Sheffield City Region, 11 Broad Street West, Sheffield S1 2BQ</p> | | | |

result of the coronavirus pandemic, the biggest shock to our communities and our economy in living memory.

It was proposed that whilst we are slowly emerging out of lockdown the threat very much remains.

The Mayor placed on record his gratitude to all our colleagues in Public Health, in each local council, in our care services and in our primary care system that each and every day step up to the plate.

It was noted that later in the meeting consideration will be given to the region's £1.7bn Recovery Action Plan, a critically important piece of work, that sets the tone for what needs to be an ambitious and all-encompassing response. As we continue to press the Government for more financial support to tackle the crisis we have, the Mayor confirmed he is pleased to say, we have been successful in securing some additional, short-term and targeted resources to help stimulate the economy.

The Mayor informed the meeting that the House of Lords recently debated the Mayoral Combined Authority Devolution Order. It was noted the Devolution Deal once approved will bring the region an additional £30m a year of resources to bring to bear on our Covid-19 economic response but this is only a start.

The Mayor noted he is extremely concerned that emergency funding from government that is keeping our tram services running is due to expire on the 3rd August with no indication from the Government that further support is coming. The Mayor provided assurances he is both pressing government for additional funding whilst planning for the worst. The truth is the only public body capable of managing a national crisis like this is central government. Long-term sustained structural funding of the network is what is required.

3 Urgent Items

The Monitoring Officer informed the meeting of the means by which the meeting would be conducted to be compliant with appropriate legislation and pursuant of the SCR's own Constitution.

4 Items to be Considered in the Absence of Public and Press

RESOLVED, that item 23 (Welcome to Yorkshire Investment) be considered in the absence of the public and press.

5 Voting Rights for Non-constituent Members

It was agreed voting rights may not be conferred on the non-Constituent members in respect of agenda items 12, 15, 16, 19 and 23 as the matters concern the Constituent area only.

6 Declarations of Interest by individual Members in relation to any item of business on the agenda

Cllr Read declared a non-pecuniary interest in the matters to be discussed at agenda item 13 (LGF Capital Programme Approvals) by virtue of being Leader of the sponsoring Authority.

Mayor Jones requested clarity in respect of whether her Directorship position on the Welcome to Yorkshire Board constituted a non-Pecuniary interest and would preclude her voting rights in respect of agenda item 23. It was agreed voting rights may not be conferred and resolved to consider the matter further at the appropriate point on the agenda.

7 **Reports from and questions by members**

None.

8 **Receipt of Petitions**

A 50 signature petition (initially received in March 2020 but because of the coronavirus crisis held in abeyance) was received from Mr Richard Johnson

The petitioner requested the continuance of the No 18 Dinnington to Doncaster Powell's Bus Service which was reported as being stopped on 26/04/20.

The Mayor thanked the petitioner for submitting the petition and instructed officers of the Passenger Transport Executive to respond on the Authority's behalf.

The Mayor also asked the petitioner to note the associated matters to be raised under the Bus Review report.

Mayor Jones offered her support to the people of Doncaster facing any cuts in public transport provision.

9 **Public Questions**

A public question was received from Mr Nigel Slack and delivered as follows:
"The impact of the Coronavirus pandemic on world trade and the footfall of our local retail centres (Centre for Cities estimate only a 50% or less recovery in retail footfall since lockdown was eased), amongst other things, was last estimated to be a drop in GDP of some 20%. A second wave of the virus, which is almost inevitable with the poor response of HMG, followed or even concurrent with the disaster of a 'No Deal' Brexit could devastate all sectors of business in the last quarter of the 2020/21 financial year.

SCR & the Mayor have already indicated a preparedness to look at measures of success that are different from growth and dare I say greed in the future. The new normal that is being bandied about may make this an urgent consideration for SCR financial support and investment over the next few years.

What preparations have been made by SCR for this potential refocussing of priorities and how will this be reflected in the Economic Plan for the region"?

In response, the Mayor noted that prior to the pandemic the SCR had

undertaken significant work with partners and stakeholders to develop and draft a new Strategic Economic Plan for the Sheffield City Region. This outlined our ambition and approach for sustainable and inclusive economic growth over the medium and long terms.

As a result of the pandemic, we postponed our public consultation on the draft Strategic Economic Plan and focused our attention and effort on analysing the likely impact of COVID-19 on our businesses, communities and residents. The result of this analysis is the Economic Renewal Action Plan, which we will be discussing at Agenda Item 11. The Renewal Action Plan proposes a set of priorities for supporting economic recovery in the short and medium term, with a view to growing the economy over the longer term.

It was noted we have worked with partners to build an understanding of what the 'new normal' will be for people, businesses and places, based on a broad range of socio-economic evidence and data. We're not just analysing data on productivity, GVA and unemployment, we are also looking at data on health and analysis on which geographical areas and groups of people have been most adversely affected by COVID-19.

Both the Strategic Economic Plan and Renewal Action Plan propose a wider set of ambitions and measures for the 'new normal' in the City Region.

The Mayor thanked Mr Slack for his question.

10 **Minutes of the meeting**

The minutes of the previous meeting held on 1st June were agreed as an accurate record of the meeting.

11 **Sheffield City Region Renewal Action Plan**

A report was received regarding the Renewal Action Plan (RAP).

It was noted the development of the Sheffield City Region (SCR) Renewal Action Plan (RAP) is an important move to mitigate the worst effects of the Covid-19 crisis and ensure a strong and timely recovery towards a more resilient economy and society. It was confirmed the RAP is aligned with the Economic Plan (SEP) and will act as a bridge to the SEP, setting out the more immediate term actions we need to take and should allow us to reset and confirm our priorities and the sequence of interventions needed in the medium to longer term.

It was noted the RAP has been designed with three linked horizons in mind: Relief (immediate term), Recovery (medium term) and Resilience (long term) and that the interventions in the draft RAP developed so far are designed to be delivered within the next 12 to 18 months.

The meeting was provided with a detailed explanation of the substantive themes contained within the plan.

RESOLVED, that the Board:

1. Endorses the draft SCR Renewal Action Plan
2. Agrees to take forward the delivery planning through the appropriate Thematic Boards.

12 **Skills Grant Acceptance**

A report was received to request approval to accept the Careers and Enterprise (CEC) Careers Hub Grant and Working Win Health Led Trial extension grant for 6 months from 01st November 2020 until 31st March 2021 and seeks delegated authority be given to the S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer to enter into legal agreements for the schemes.

RESOLVED, that the Authority:

1. Approves acceptance of the CEC Careers Hub grant allocation for £146,000.
2. Approves acceptance of the Working win extension funding for 6 months and accepts the grant of £500,000.
3. Delegates authority to the S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer to accept the grants of £646,000 subject to their acceptance of the terms of the agreements when these are received.

13 **LGF Capital Programme Approvals**

A report was received to seek approval of one scheme with a total value of £2.45m Local Growth Fund (LGF) for Greasbrough Road Improvements – Rotherham and to seek delegated authority to the Head of Paid Service in consultation with the S73 and Monitoring Officer to enter into legal agreements for the schemes.

It was reported the grant will be used to fund the preparation costs associated with the design development of the preferred option and the construction of the scheme outlined above.

RESOLVED, that the Authority:

1. Approves progression of Greasbrough Road Improvements to full approval and award of £2.45m grant to Rotherham Metropolitan Borough Council subject to the conditions set out in the Appraisal Panel Summary Table attached at Appendix A
2. Delegates authority to the Head of Paid Service in consultation with the S73 and Monitoring Officer to enter into legal agreements for the schemes covered above.

Getting SCR Building

A report was received to provide an update on the recent announcements for devolved funding to support major employment and housing development in the SCR, and request that the MCA agrees to accept the funding and supports the proposals for accelerating delivery of the infrastructure and housing schemes.

The meeting was informed that on the 30th June 2020, the Government launched 'A New Deal for Britain' which it set out the first steps in stimulating the economy following Covid 19 pandemic and that as part of this strategy, £73.6m of funding (£33.6m (Major Capital Schemes) and £40m (Brownfield Fund)) has been allocated to the SCR MCA for supporting immediately deliverable infrastructure schemes and to support the development of housing schemes on brownfield land.

RESOLVED, that the Board:

1. Approves acceptance of the £33.6m Getting Building Fund and grant allocation to deliver the proposed programme (outlined in Annex 1 to this report).
2. Approves acceptance of the £40m Brownfield Fund grant allocation to deliver a programme of housing schemes on brownfield land for 2020-25, subject to agreement on the terms and conditions set out in section 2.6.
3. Approves a new approach to enable earlier release of scheme development costs (as set out in section 2.8) to accelerate the development and delivery of the infrastructure schemes over the next 18 months.
4. Delegates authority to the S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer to accept the grants of £73.6m subject to their acceptance of the terms of the agreements when these are received.

Bus Review Response

A report was received to outline the proposed framework for how the MCA will respond to the Bus Review and the associated work programme.

Members were reminded the Bus Review investigated the underlying causes of service and patronage decline and gathered evidence from multiple sources including interviews with stakeholders and a public survey, to which 5,900 people responded. It was noted the Review highlighted the need for a leader for buses who could drive forward improvements to the system, a role that has been adopted by the Mayor.

RESOLVED, that the Authority:

1. Notes the findings of the Bus Review and the proposed

recommendations.

2. Agrees the principles for how a response to the Review will be developed.
3. Agrees the proposed 7-point improvement plan along with the associated timescales and delivery arrangements.

16 **Active Travel Design Principles and Emergency Active Travel Funding**

The Mayor welcomed Dame Sarah Storey, the SCR Active Travel Commissioner, to the meeting.

Dame Sarah introduced a report setting out the Design Principles for Active Travel Infrastructure to be adopted for SCR investment, and to set out arrangements for the delivery of the DfT's Emergency Active Travel Fund Tranche 2 in the Sheffield City Region.

It was noted the proposal is for the MCA to adopt high level Design Principles. We are awaiting detailed national infrastructure design advice from the DfT which will be issued this summer. It is proposed that the SCR standards meet or exceed those from DfT as schemes are funded mainly through Government funding, including the Transforming Cities Fund, which must meet their minimum criteria.

It was confirmed the SCR Transport Board endorsed this proposal at its meeting on the 3rd July.

RESOLVED, that the Authority:

1. Agrees the design principles and the approach to creating inclusive active travel infrastructure for adoption in SCR infrastructure investment.
2. Approves the submission of proposals to DfT under the Emergency Active Travel Fund Phase 2 of c.£7m by Friday 7th August
3. Approves the acceptance of the Emergency Active Travel Fund Phase 2 grant from the DfT subject to its award and terms and conditions
4. Agrees delegated authority to be given to the Head of Paid Service in consultation with the s73 and Monitoring Officer to enter into legal agreements with the four Local Authorities for their respective schemes for Phase 2 schemes.

17 **Statements of Common Ground**

A report was received requesting the endorsement of both Doncaster's Statement of Common Ground and a separate but complementary Statement of Common Ground prepared by all Local Planning Authorities in the City Region.

It was noted Councils preparing local plans are under a statutory "Duty to

Cooperate” with other relevant bodies in order to encourage and enable strategic planning across local boundaries.

RESOLVED that the Authority endorses both the Doncaster Statement of Common Ground and the Local Planning Authorities’ Joint Statement of Common Ground and agrees for the MCA to be a signatory to both Statements.

18 **SCR Energy Strategy**

A report was received to present the final SCR Energy Strategy for approval, including the amendments previously agreed by the LEP Board.

It was noted the Energy Strategy is part of a wider strategy for environmental sustainability and response to the Climate and Environmental Emergency declared by the Mayoral Combined Authority in November 2019.

RESOLVED, that the Authority:

1. Approves the SCR Energy Strategy as recommended by both the SCR Infrastructure Board and the LEP Board.
2. Notes the proposed next steps for implementation of the Strategy.

19 **Devolution - Amendments to the Constitution**

A report was received to inform Members that following the consent of the Constituent Councils, and the MCA to the detail of the devolution deal, the MCA’s Constitution needed to be updated to reflect the provisions of the deal and the legislative Order that implements the deal.

The report therefore set out the changes to the Constitution and sought the endorsement of the MCA to the changes.

RESOLVED, that the Authority approves the changes to the Constitution detailed in the report and the track changed version of the Constitution appended to the report in order to reflect the devolution of further functions and the changes to governance set out in the Barnsley, Doncaster, Rotherham and Sheffield Combined Authority (Functions and Amendment) Order 2020 (“Order”), noting such changes take effect from the date that the Order becomes legislation and has effect.

20 **Year To-Date Finance Update**

A report was received to summarise the forecast impact of Covid-19 on the MCA’s financial position after the first two periods of the financial year.

A progress update on the external audit of the 2019/20 statutory accounts was also provided.

The meeting was informed that in common with partners and businesses across the region, the Covid-19 pandemic has caused disruption to the MCA’s financial affairs. This report therefore sought to highlight the impact of that disruption, and the steps being taken to protect both operations and our financial position.

RESOLVED, that the Authority:

1. Notes the year to date revenue and capital positions of the SCR Group as at 31 May and that the Q1 report will be received at the September 2020 meeting.
2. Notes the forecast impact of Covid-19
3. Notes the progress update on the external audit of the 2019/20 statutory accounts, which will be presented for approval at the MCA Board in September 2020.

21 **Code of Corporate Governance**

The meeting was presented with the revised Code of Corporate Governance.

It was noted the scope of SCR's governance and internal control framework spans the whole of the organisation's activities and, as recommended in the CIPFA/SOLACE Framework Delivering Good Governance in Local Government 2016, as described in SCR's local Code of Corporate Governance.

It was noted the Code stands as the overall statement of the Mayoral Combined Authority's and Local Enterprise Partnership corporate governance principles and commitment.

It was noted the Code demonstrates that the MCA and LEP's governance arrangements comply with the core and sub-principles contained in the Framework.

RESOLVED, that the Authority approves the revised Code of Corporate Governance.

22 **Decisions & Delegated Authority Report**

Provided for information.

23 **Welcome to Yorkshire Investment**

Item taken in the absence of the public and press.

RESOLVED, Members agreed with the recommendations within the report.

I, the undersigned, confirm that this is a true and accurate record of the meeting.

Signed

Name

Position

Date

21 September 2020

INTEGRATION OF THE PTE WITH THE MCA

Purpose of Report

Following agreement to progress the 7-point implementation plan of the Bus Review, this report sets out for the MCA Board a number of considerations and key milestones in progressing the integration of the PTE fully within the MCA.

Thematic Priority

Cross Cutting - governance

Freedom of Information and Schedule 12A of the Local Government Act 1972

The paper will be available under the Combined Authority Publication Scheme

Recommendations

The MCA Board agree:

1. the aim and objectives, as outlined in section 2.1, and whether these accurately capture Member's intentions following agreement to the 7-point plan (27.07.20);

The MCA Board note

2. the proposed workstreams and outline for communication, and that a fuller work programme and risk register will be developed in the coming months;

1. Introduction

- 1.1 The MCA, at its meeting 27th July 2020, agreed to begin the process for integrating the South Yorkshire Passenger Transport Executive (SYPTTE) fully within the MCA, moving away from the current Group Structure of the MCA with a wholly owned Subsidiary Body. Engagement with MHCLG is underway to agree the route and milestones to dissolve the PTE. The precise legislative route to undertake the integration is under discussion with MHCLG but will require a Statutory process and an Order of Parliament to formally merge the 2 bodies. The timescale of the legal integration will depend on MHCLG securing parliamentary time following their agreement to support the proposal.
- 1.2 At conclusion of the statutory process all undertakings of the PTE will transfer to the MCA, including assets, contracts and employees. Until this point the PTE will legally retain its independent identity.
A number of services are already integrated across the Group, including legal, IT and HR, further work is taking place to fully integrate finance and marketing and communications. In addition to these, planning work can commence to integrate structures, processes and systems across the Group in preparation for full integration.

2. Proposal and justification

2.1 The proposal is to commence the process for integrating the South Yorkshire Passenger Transport Executive (SYPTTE) fully within the MCA. The aim of the activity is defined as: ***To fully integrate the PTE into the MCA as a single entity encompassing economic development and transport strategic and operational functions. Including the creation of a single Executive organisation to support the MCA remit.***

2.2 Delivery objectives are defined as:

1. To dissolve the PTE, via statutory instrument, ensuring any statutory obligations are undertaken in a timely manner,
2. To develop an integrated MCA Executive Function, including the transfer of employees from the PTE to the MCA
3. To agree the requirements for any new governance processes across the MCA, to ensure good governance and risk management systems can be agreed, developed and implemented

A detailed plan with interim and final deadlines will be developed when we are aware of the statutory timetable for this activity

2.3 The programme of activity leading to full integration has been broken down into 5 workstreams, defined as:

- Governance
- HR
- Finance and Assets
- Branding and Communications
- Programmes

A detailed project plan based on the above workstreams is in development.

2.4 As part of the project plan, a series of milestones will be established with decisions being brought back to the MCA Board for their consideration, with the Mayor and Chair of the Transport Board maintaining a detailed oversight of the process.

3. Consideration of alternative approaches

3.1 Based on the agreement to integrate the PTE fully in the MCA there are a number of sequencing issues that can be considered:

- To do the initial preparation but to largely leave implementation of practical actions until after the statutory process has concluded;
- To do the initial preparation and to implement as much as possible to achieve full integration in advance of the statutory process;

As each workstream is developed and there is greater clarity of the timeline for the statutory process Members will be updated on the proposed timetable.

4. Implications

4.1 Financial

Any costs associated with the integration process will be assessed and reported on, these may include costs related to:

- Consultation, although it is not certain that public consultation will be required,
- Legal support if revision to terms and conditions of staff are required,
- Revised branding of all operational transport assets and information.

4.2 Legal

Section 85 Transport Act 1985 allows the Secretary of State to dissolve the PTE by Statutory Order. The MCA are unlikely to need external legal advice to do this but some elements of the implementation including harmonisation of terms and conditions may.

4.3 Risk Management

A full risk plan is in development and will mirror the themes of the main work programme themes

4.4 Equality, Diversity and Social Inclusion

The MCA Executive and PTE HR team will be fully integrated into the implementation team to ensure that in all processes relating to employees of the MCA Executive and PTE regarding equality and diversity are fully adhered to.

5. Communications

5.1 Following the acceptance of the 7 Point Implementation Plan, a full briefing was provided by the Head of Paid Service and Executive Director of the PTE to all staff. Further staff consultation sessions are being scheduled to provide updates on activity.

In addition to this there is a commitment to consult with the relevant Trade Unions regarding the integration and implications for officers of both organisations.

It is proposed that there is a status update brought to every MCA as part of the CEX Report, with detailed reports to Members scheduled for key decision milestones.

Further work will be undertaken to consider branding options.

6. Appendices/Annexes

6.1 N/A

| | |
|---------------------|--|
| Report Author | Ruth Adams |
| Post | Deputy Chief Executive |
| Officer responsible | Dave Smith |
| Organisation | MCA Executive |
| Email | Dave.smith@sheffieldcityregion.org.uk |
| Telephone | |

Background papers used in the preparation of this report are available for inspection at: 11 Broad Street West, Sheffield S1 2BQ

Other sources and references:

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Combined Authority
21st September 2020
Adult Education Budget
Purpose of Report

The paper provides a progress update to enable effective commissioning of AEB provision to SCR residents from 1st August 2021.

Thematic Priority

Develop the SCR skills base, labour mobility and education performance.

Freedom of Information

This paper will be made available under the MCA transparency scheme.

Recommendations

That Board Members:

1. Endorse the areas for the MCA Commissioning Strategy and the proposed Commissioning Approach detailed in section 2.2.
2. Endorse the Procurement Principles, set out in section 2.4
3. Note the approach to Soft Market Testing set out in section 2.5
4. Note the position regarding Implementation Funding, detailed in section 2.6

1. Introduction

- 1.1 MHCLG confirmed on the 3rd August that the Devolution Order was enacted. As a consequence of the devolution order, the MCA will become responsible for c£36m of devolved Adult Education Budget (AEB) from August 1st, 2021 and will provide funding for the delivery of adult skills activities to the residents of Barnsley, Doncaster, Rotherham and Sheffield.
- 1.2 A paper was presented for debate by the Skills and Employment Board, relating to the following areas:
 - Commissioning Approach including alignment to the SEP and RAP
 - Approach to Procurement
 - Skills Plan and Soft Market Testing
 - Implementation Funding
- 1.3 Following discussions, the Board agreed the Commissioning Strategy; commissioning approach; procurement principles and to undertake Soft Market Testing in advance of a procurement round in the autumn.

- 1.4 Due to the tight timescales involved to ensure effective commissioning and procurement activity takes place. The Board has agreed to meet on an informal basis between the formal Board meetings to enable progress to be made at pace.

2. Proposal and justification

2.1 Commissioning Approach including alignment to the SEP and RAP

Full devolution of AEB, whilst a small part of the overall national investment in education and skills, provides an opportunity to significantly align this crucial funding and the provision the MCA commissions with the People strand of the Renewal Action Plan activity, and to the ambitions of the SEP. The ambition for fully realising devolution is to move from a national funding system, driven by national priorities, to a more strategic and regionally targeted approach, better attuned to local priorities and the needs of Barnsley, Doncaster, Rotherham and Sheffield residents and businesses. The commissioning approach will include allocations to grant funded providers based in the SCR and a procurement round in the autumn.

- 2.2 Following an initial discussion at the Skills and Employment Board in June, further work has been undertaken to consider how best to maximise the local freedoms and flexibilities of AEB resources, alongside other National and local provision, to focus on the immediate needs of the RAP and the longer-term ambitions of the SEP. In this regard the following three areas were presented to the Employment and Skills Board for detailed discussion as a basis for the MCA Commissioning Strategy.

Progression Pathways - which remove barriers enabling economically inactive and unemployed residents to gain the skills they need to enter and progress in work, with a focus on English, Maths and digital;

Skills Acquisition - Increasing skill levels across the region at all levels, those in low paid low skilled work, upskilling and reskilling to enable in-job progression or secure a new job/role which will be more prevalent due to the pandemic;

World Class Technical Education - Increasing aspiration, attainment and ambition in both our young people and adults, enabling higher-level skills and qualifications to be attained in sectors where there are occupational skills shortages.

- 2.3 The commissioning approach will be developed in the coming months, alongside the development of the RAP implementation plans, this will ensure that:
- The Mayor, Thematic Board Leads, other key LEP/MCA members have had the opportunity to shape priorities and commissioning;
 - Agreeing three-year delivery plans with all providers underpinned by new risk-based performance management arrangements;
 - Collaboration with Grant providers takes place with an expectation that they build networks, across the City Region, using their reach to engage with organisations, both public and private; drawing together a coherent local offer relevant to the needs of their residents and aligned to MCA/LEP ambitions;
 - Joint work commences during September, to align the delivery from 1st August 2021 through to July 2024, to build on the activity which will be delivered in response to our Renewal Action Plan and in support of our Strategic Economic Plan;
 - Options to improve access to impartial all-age careers advice and guidance is planned into the system and
 - The MCA Executive operationalises an open and transparent commissioning process, communicating effectively throughout.

2.4 Approach to Procurement

The MCA intends to run a procurement round in Autumn 2020, for provision to commence in August 2021. Members are asked to consider and endorse for approval a set of procurement principles, which have been developed and could include but are not limited to:

1. Commission activity aligned to the Renewal Action Plan to Build Back Better, and the MCA and LEP priorities of Growth, Inclusion and Sustainability.
2. Focus on places within the SCR centred on equality, aspiration and inclusivity.
3. Support a long-term journey of change - making ambitious, forward looking, evidence-based commissioning decisions.
4. Support providers and residents to focus on what can be achieved over a longer time frame e.g. 3 years.
5. Enable providers to go beyond current policies and funding rules testing / piloting new local flexibilities to inform future commissioning.
6. Secure value for money for the public purse, better outcomes for learners, and optimum social value through working collaboratively with others.

2.5 Skills Plan and Soft Market Testing

In order to ensure the commissioning strategy and approach to procurement is well developed and grounded, an important component is to undertake Soft Market Testing. It is proposed this occurs in September.

Included in the deal with Government for AEB devolution was the publication of a Skills Plan. A draft was provided to DfE as part of our readiness conditions and the intention had been to publish and consult in late summer in advance of the procurement round in the autumn. Due to the COVID 19 pandemic and the impact that had on the publication of the Strategic Economic Plan (SEP), and Renewal Action Plan (RAP) that has now been delayed. Members are asked to endorse an approach to enable key stakeholders the opportunity to engage on the AEB.

The proposed approach is as part of the Soft Market Testing, approx. 8-10 questions specifically related to the AEB would be developed for response by interested parties. It was agreed that the Skills and Employment Board would approve the wording of the questions. The intention is that the questions would be live for 2/3 weeks and the responses could then inform our approach to commissioning both Grant and procured provision.

2.6 Implementation Funding

In recognition of the significant amount of work required to devolve the AEB, DfE have confirmed that the MCA will receive DfE implementation funding for 2020-21 and 2021-22. DfE will provide this in the form of a demand led grant under a Section 31 non-ring-fenced transfer (Local Government Act 2003). DfE will match the level of funding expended by the MCA in preparation for devolution activities such as those described in the MCA business case submitted to the Department of Education.

3. Consideration of alternative approaches

3.1 n/a

4. Implications

4.1 Financial

Implementation funding has been made available.

4.2 Legal

The order transferring responsibility for AEB from the Secretary of State to the MCA has been enacted.

Development of all documentation is being undertaken under the guidance of the MCA Monitoring Officer, ensuring compliance with all relevant legislation is adhered to.

4.3 Risk Management

Whilst good progress has been made, timelines and processes for engaging with and gaining agreement of some of key activities have been challenging, but these have been reviewed and should not be a problem moving forward.

There are some key risks which receipt of the implementation funding will enable us to mitigate, accessing specialist services including procurement, data and IT systems.

4.4 Equality, Diversity and Social Inclusion

An Equality Impact Assessment will be undertaken.

5. Communications

5.1 An AEB communications strategy is being developed and will be available for Members of the Employment and Skills Board to review in advance of Soft Market Testing.

6. Appendices/Annexes

6.1 n/a

| | |
|----------------------|--|
| REPORT AUTHOR | Jacquie Chambers |
| POST | Consultant |
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Background papers used in the preparation of this report are available for inspection at: 11 Broad Street West, Sheffield S1 2BQ

Other sources and references:

21st September 2020

LGF CAPITAL PROGRAMME APPROVALS

Purpose of Report

This paper seeks:

1. Approval of one scheme with a total value of £2.8m Local Growth Fund (LGF) and,
2. Approval of a change request for an existing project; and,
3. Approval for delegated authority to be granted to the Head of Paid service in consultation with the Section 73 Officer and the Monitoring Officer to enter into legal agreement for the schemes.

Thematic Priority

Secure investment in infrastructure where it will do most to support growth

Freedom of Information and Schedule 12A of the Local Government Act 1972

The paper will be available under the Combined Authority Publication Scheme.

Recommendations

The MCA consider and approve:

1. Progression of Forge Island Enabling to full approval and award of £2.8m grant (which consists of £1.5m existing loan being converted to a grant and an additional grant award of £1.3m) to Rotherham Metropolitan Borough Council subject to the conditions set out in the Appraisal Panel Summary Table attached at **Appendix A**
2. Project change request from “DSAL Passenger Capacity Expansion” to agree an extension to works completion from September 2021 to September 2022 and reprofile of outputs and outcomes in accordance with the revised timescales
3. Delegated authority be given to the Head of Paid Service in consultation with the Section 73 and Monitoring Officer to enter into legal agreements for the schemes covered above.

1. Introduction

- 1.1 This report requests approval for one scheme with a total value of £2.8m and in line with the agreed Assurance Framework a project change
- 1.2 In recognition of unforeseen circumstances that can arise during the project delivery phase, the approved Assurance Framework establishes a formal process for the acceptance of change requests. These change requests could be financial requiring reprofiling of funds or could be to amend deliverables or timescales.
- 1.3 The Assurance Framework established that some change requests will be presented for approval to the relevant Executive Board, in line with their agreed delegation levels whilst others will require the approval of the MCA Board. There is one change request

proposed through this report which requires MCA approval. This is detailed in sections 2.5 to 2.6 below.

2. Proposal and justification

2.1 Forge Island Enabling (Infrastructure Scheme)

Appendix A provides a summary of the scheme appraisal and the suggested conditions of award.

2.2 Background - Forge Island is in the centre of Rotherham and is seen as important to delivering the regeneration of the town centre. In 2016 a £1.5m loan was awarded from LGF to acquire the site and undertake some flood defence works. A grant award could not be supported at that time due to value for money considerations. This reflected that the overall project was at an early stage of development and therefore unable to demonstrate creation of jobs. The loan agreement included provision to transfer the loan to grant once the development was sufficiently advanced to be able to demonstrate jobs creation.

2.3 The Project – This investment is for a £2.8m grant

The Forge Island Enabling project will deliver two further phases of flood defence works critical to enabling the wider mixed-use development which aims to deliver 105,000 square foot of new floorspace including cinema, hotel, retail and residential units alongside public realm improvements.

The LGF grant will be used to fund construction works on a flood Wall and canal barrier.

2.4 The benefits and outcomes – The scheme contributes to the four key objectives for SCR as set out in the SEP. It will increase the employment rate in the SCR through the jobs created from the retail elements of the development. It will increase the proportion of private sector employment. The scheme will also enhance quality of life in the SCR and deliver sustainable economic growth.

One of the action areas of the SEP is to ‘secure investment in infrastructure where it will do most to support growth’ which focuses on ‘transformational schemes’ and ‘enabling infrastructure’. The Forge Island scheme will address both of those by funding infrastructure to unlock land that can be developed for the benefit of Rotherham town centre.

The project is estimated to deliver 227 net additional jobs which equates to an estimated net public sector cost of £12,346. The GVA impact over ten years is estimated to be £42.3m which represents a return of £18 for every £1 of LGF investment.

The project is assessed as offering good value for money for the LGF investment.

2.5 Change Request - DSAL Passenger Capacity Expansion

Background

The project will deliver:

- a new enlarged and relocated central search area at the Northern end of Level 3 of the terminal including ‘smart lane’ technology to improve processing;

- reconfiguration of Level 3 departure lounge, linking with the exit from the new central search area, including improved passenger service facilities;
- two new departure gates with link bridges to the apron (including one for passengers with reduced mobility);
- a scheme of internal reconfiguration to enlarge the existing Level 1 International arrivals and immigration area; and
- a lightweight single storey extension to the terminal building to further enlarge the International arrivals area.

2.6 Detail of request

The project is requesting:

Cost – No change

Time - A delay of one year. Project completion would become 30/09/2022, rather than 30/09/2021.

Quality – DSAL are informing that job outcomes may change subject to the impact of Covid (and any associated economic recession) on airline growth plans, this is not known at the moment.

Currently the airports key concessions are operating in units which the project requires to be relocated to different areas of the lounge, since the configuration of the lounge is to be radically changed. Once new unit shells are constructed, the concessionaires are to pay for and deliver the fit-out of those units. (Approx. £2.35m).

The concessions they operate are fundamental not only to the commercial case for the project, but also for the passenger experience, for example food and beverages, retail shopping, travel essential and convenience items like newspapers, magazines and confectionary. Prior to the Covid pandemic the concessionaires were comfortable with the scheme, its timing and their role in it. Whilst they've all still wholly supportive of the scheme, DSAL have been unable to progress this commercial negotiation and regularisation at the pace which the project requires. DSAL, in the meantime can't plan and carry out the works and have a situation where the concessionaires won't do their fit-out and DSAL have empty shell units with no offerings for the passengers. Assuming the concessionaires re-engage by Spring 2021, DSAL are stating that they can't undertake extensive development works in Summer 2021 as the disruption to passengers would be too great. It follows that DSAL need to aim for the Winter season for construction, but will be too late for this Winter, the project is likely to be delayed for a full year. Each milestone would retain its original phasing and planned month but would be achieved a full year later than envisaged.

3. Consideration of alternative approaches

- 3.1 Do nothing: Forge Island** - LGF resource is currently the only means of delivering the Forge Island scheme. In a best case, should LGF resource not be awarded to the project delivery of the scheme and its benefits would be delayed until such time as alternative funding could be secured; in a worst case, no such funding would materialise and no scheme would be delivered. The Forge Island site also includes two well located and accessible sites bordering the main island referred to as 'The Courts' & 'Riverside'. These will play a key role in delivering one of the main objectives of the Masterplan, the introduction of more high-quality residential opportunities in the heart of the town centre and connecting the leisure led main island with the town centre.

- 3.2 Do nothing: DSAL** - If the scheme extension is not approved, then the scheme would become undeliverable and cause significant risk to the scheme promoter.

4. Implications

4.1 Financial

The project presented for approval today is profiled to drawdown £1.3m from the 2020/21 annual LGF allocation of £43.2. Under the MCA's pipeline management processes in-year expenditure is currently affordable.

The funding for the DSAL project has been previously approved and the change will have no detrimental impact on 20/21 LGF allocation and any pipeline projects.

4.2 Legal

The legal implications of the project have been fully considered by a representative of the Monitoring Officer and included in the recommendations agreed by the Appraisal Panel as presented in the supporting information.

4.3 Risk Management

Risk management is a key requirement for each of the submissions and is incorporated into the FBC submissions. Where weaknesses have been identified in the FBCs in terms of risk management, further work to capture and mitigate these risks is included as a condition of award in the appraisal panel summary sheets. Risks and Issues management is reported quarterly to the SCR Executive as part of contract monitoring.

High risk schemes will continue to be monitored and any changes will be reported back to the LEP and MCA.

A report detailing delays due to COVID-19 has been prepared and issues are being highlighted to MHCLG and an extension to the LGF programme has been requested. However, at the present time no extension has been granted.

4.4 Equality, Diversity and Social Inclusion

Appropriate equality and diversity considerations are taken into account as part of the assessment of the project business case.

5. Communications

- 5.1** The business case for LGF schemes presents opportunities for positive communications; officers from the SCR Executive Team will work with the relevant officers on joint communications activity at the appropriate time.

6. Appendices/Annexes

- 6.1** Appendix A: Appraisal Panel Summary Forge Island Enabling

| | |
|---------------------|--|
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Background papers used in the preparation of this report are available for inspection at: 11 Broad Street West, Sheffield S1 2BQ

Appraisal Panel Summary

Scheme Details

| | | | |
|----------------------------|--|--------------------------|---|
| Project Name | Forge Island Enabling | | |
| Grant Recipient | Rotherham Metropolitan Borough Council, (RMBC) | | |
| SCR Executive Board | Infrastructure | SCR Funding | £2,8m (includes existing £1.5m loan being converted to grant) |
| % SCR Allocation | 45% | Total Scheme Cost | £6,276,066 |

Project Description

Rotherham Metropolitan Borough Council are seeking £2.8m in grant funding from SCR to deliver flood defence works at Forge Island to unlock employment and residential land. The town centre regeneration scheme will enable delivery of 140 residential units, and a commercial development including a cinema, retail units and food & beverage (F&B) units.

The scheme has three stages – 1) site acquisition; 2) demolition, site preparation, de-contamination, enabling infrastructure; and 3) construction with private sector development partner. LGF is sought for the first two stages. Acquisition of the land and demolition works were completed following the award of an LGF loan of £1.5m in 2017. This current funding application is to convert this loan into a grant, now that a developer has been appointed and outputs can be attributed to the scheme, and there is greater certainty of delivery. This business case also requests a further £1.3m grant for flood defence works that are split into two phases – 1) development of a flood wall and 2) a canal barrier.

Strategic Case

The rationale for the scheme is two-fold: reduce flood risk and by doing so, unlock a key development site in Rotherham town centre. The flood defence element of the scheme forms part of the wider Rotherham Renaissance Flood Alleviation Scheme (RRFAS), a long-term project to reduce flood risk in the borough and part of the SCR Integrated Infrastructure Plan. The scheme fits with RMBC's Economic Development Strategy (Rotherham Growth Plan). The Growth Plan establishes RMBC's ambitions for the town centre and aims "to deliver a major town centre development on Forge Island", which this scheme will deliver. The scheme will also contribute towards the delivery of the town centre masterplan. The Rotherham Town Centre masterplan (produced in 2016) indicates that Forge Island would "become a major new piece of the town centre" and "is a strategically important scheme which should be advanced at the earliest possible stage". The masterplan also includes the recreational developments on Forge Island as the first 'key move' to develop the town centre.

The scheme contributes to the four key objectives for SCR as set out in the SEP. It will increase the employment rate in the SCR through the jobs created from the retail elements of the development. It will increase the proportion of private sector employment. The scheme will also enhance quality of life in the SCR and deliver sustainable economic growth.

One of the action areas of the SEP is to 'secure investment in infrastructure where it will do most to support growth' which focuses on 'transformational schemes' and 'enabling infrastructure'. The Forge Island scheme will address both of those by funding infrastructure to unlock land that can be developed for the benefit of Rotherham town centre.

Value for Money

The project is estimated to deliver 227 net additional jobs, which equates to an estimated net public sector (LGF) cost per job of £12,346. On this basis, the LGF investment will offer good value for money.

The net present value of the GVA impact over ten years is estimated to be £42.3m. This represents a return of £18 for every £1 of LGF investment.

Risk

The highest rated risks (all with a medium probability and high impact rating) are

1. the business case being rejected by the MCA;
2. cost overrun;
3. enabling works delayed impact on scheme start;
4. technical risks associated with the design of a canal barrier / flood wall;
5. programme risks associated with the need to deliver in-channel works with canal stoppage; and
6. limited resource availability due to workload within flood risk management supply chain.

The costing risk has been mitigated through increased levels of contingency (£376,615 for the Flood Wall, and £700,000 for the Canal Barrier).

Another uncertainty is the ability to secure occupiers for the scheme. The present economic uncertainty from COVID-19 many reduce hotel, cinema and food and beverage operators' appetite to pursue new developments but engagement with operators is ongoing and mitigation plans are under constant review.

Delivery

A project manager is already in post for the flood elements of the work. The project manager will report to the Town Centre Project Management Board (TCMPB) . The group is chaired by the Cabinet Member for Local Economy and Jobs, and has the focus of maintaining overview of progress against project delivery. Progress reports tabled at the Board provide Senior Management with updates on scheme progress with associated narrative and traffic light risk registers to give real time data on which to act.

For the commercial elements of the scheme, the Development partner for Forge Island has signed a contract to deliver on the site with works scheduled to start September 2021 with Phase 1a cinema and restaurants scheduled to open in 2022/23.

Completion of the Flood Wall is scheduled for September 2020. The construction of commercial facilities will commence in September 2021. The canal barrier works will commence in April 2021 to allow for the construction period to fall in the winter stoppage (due to Canal & river Trust usage in the other quarters). Construction could continue until July 2022. Finally, the cinema and restaurants will open in 2022/23.

Legal

The applicant has stated that the project does not constitute State Aid. The reasoning provided by applicant is that it fails questions 2, 3 and 4 of the State Aid self-assessment tool. The scheme does not confer a select advantage to an undertaking and will not affect trade between member states.

Recommendation and Conditions

| | |
|---|---------------------|
| Recommendation | Full award |
| Payment Basis | payment on deferral |
| Conditions of Award (including clawback clauses) | |

The following conditions must be satisfied before contract execution.

1. A definitive set of outcomes, including baselines where necessary, which SCR will contract against and monitor.
2. Agree detailed schedule of inclusive growth indicators and targets (e.g. % of [previously unemployed] locals offered permanent contracts and apprenticeships, mentoring and school engagement and engagement with the local supply chain) to ensure the project delivers wider socio-economic benefits and that these can be captured, monitored and reported.
3. Submission of acceptable State Aid opinion
4. Formal confirmation of all other funding approvals required to deliver the project.
5. All required statutory consents including all relevant planning conditions must be satisfied. Failure to do so will result immediate return of funds to SCR

The conditions above should be fully satisfied by 21/10/20. Failure to do so could lead to the withdrawal of approval.

The following conditions must be satisfied before drawdown of funding.

6. Submission of evidence of Board approval for the scheme.
7. Formal confirmation of commitment to address any cost overruns (without recourse for further LGF support) without unduly compromising project outputs and outcomes.

The following conditions must be included in the contract

8. On completion of physical works, 70% (£1,960,000) of this LGF grant will be placed out of scope for any clawback. The remaining 30% LGF grant (£840,000) will remain in scope until 151 gross fte jobs have been created at the site. The SCR Programme and Performance Unit will monitor progress on job creation based on the annual profile and baseline (as at funding agreement) submitted by the promoter. If by the end of March 2027, the minimum threshold of 151 gross fte jobs have not being created, the applicant will return £5,563 for each job below the threshold.

Record of Recommendation, Endorsement and Approval

Project Name

Appraisal Panel Recommendation

Board Endorsement

MCA Approval

Date of Meeting

Date of Meeting

Date of Meeting

**Head of Paid Service
or Delegate**

**Endorsing Officer
(Board Chair)**

**Approving Officer
(Chair)**

Signature

Signature

Signature

Date

Date

Date

**S73 Officer or
Delegate**

Statutory Finance Officer Approval

Signature

Date

Name:

**Monitoring Officer or
Delegate**

Signature:

Signature

Date

Date:

21st September

MCA Group Budget Revision 1

Purpose of Report

In recognition of the significant disruption to activity as a result of Covid-19, a budget revision exercise has been undertaken across the MCA's revenue budgets and capital programmes. The results of this exercise are detailed in this report.

Thematic Priority

Cross-cutting - Financial

Freedom of Information and Schedule 12A of the Local Government Act 1972

This paper will be available under the Combined Authority Publication Scheme

Recommendations

1. Note the disruption to the MCA's income streams and expenditure plans as detailed in this report;
2. Note the ongoing concerns around the commercial viability of the transport network;
3. Adopt the revised budget estimates;
4. Note the Section 73 officer's recommendations to not draw down on the Enterprise Zone retained business rate reserve as previously planned;
5. Approve the proposal to fund Bus Review activity from the MCA's SY Transport reserve;
6. Approve the proposal to draw down £500k from the MCA's earmarked Covid reserve to support the MCA Executive's revenue budget; and,
7. Approve the addition to the capital programme of £411k of new and accelerated capital activity required to support the MCA's response to Covid resilience to be funded from capital receipts unapplied.

1. Introduction

- 1.1 To ensure that the effects of Covid-19 disruption were properly understood, an in-year budget revision exercise has been undertaken that sought to review year-to-date expenditure, test income assumptions, and reforecast expenditure.
- 1.2 This exercise is now largely complete, with a number of significant issues arising. The most prominent of these issues can be summarised as follows:
 1. The commercial viability of the region's transport system remains dependent on sustained emergency government support, which is now due to expire in October;
 2. The testing of income assumptions has highlighted material shortfalls against budget on the MCA Executive's un-ringfenced revenue funding;
 3. The MCA's proposed response to ensuring safe and resilient working conditions for employees has driven requirements for un-forecast capital expenditure; and,
 4. There is a growing concern that capital expenditure targets may not be met.

- 1.5 The commercial viability of the region's bus and light-rail operators remains a prominent concern, with fare-paying patronage still well below the levels at which operators can deliver the required level of service without public subsidy.
- 1.6 Following representation from the Mayor and counterparts across the country, the Department for Transport has committed to a further 3-month extension of light-rail and bus support to the end of October. Coupled with local support via the committed SYPTTE budget, this continues to protect service provision. A withdrawal of government support at the end of the current funding round, and before patronage recovers to sustainable levels, will adversely impact on that provision.
- 1.7 Whilst the MCA has been the recipient of several new funding streams since the start of the year, this budget exercise has highlighted income shortfalls to the value of £1.2m in the MCA Executive's general un-ringfenced funding which supports much of the organisation's core costs. These shortfalls largely relate to over-estimations of the level of Enterprise Zone business-rate receipts in the prior financial year, which now need to be corrected. It is proposed that these shortfalls are met, in part, by the release of provisions and reserves held to manage such scenarios, protecting critical activity required to ensure the MCA remains capable of delivering on its aspirations.
- 1.8 Work undertaken to determine how the MCA's employees will continue to deliver on its objectives in a safe manner has driven requirements for the acceleration of planned works at the Broad Street West building, and the implementation of new technology to aid remote and agile working. Cumulatively, these projects amount to c. £411k and will ensure safe and effective working conditions for employees. It is proposed that these one-off unbudgeted costs be met from the application of an available capital receipt.
- 1.9 In common with many organisations across the country, there is also a growing concern around the pace at which capital schemes are being brought forward and delivered. The addition of 'Getting Building Fund', 'Brownfield', and 'Active Travel' programmes as part of the government's fiscal stimulus package to the existing capital programme provides welcome additional funding, but does present further delivery challenges.
- 1.10 Finally, it is expected that the first tranche of Gainshare devolution monies will be received in September. Proposals on how this resource may be deployed will be reflected in a second budget revision to be brought before the MCA in November.

2. Report

2.1 The key issues regarding the financial performance of each element of the Group are set out below. Each element is considered separately.

2.2 **South Yorkshire Passenger Transport Executive Revenue Budget**

The SYPTTE revenue budget operationalises the South Yorkshire Transport Plan and is largely funded by the transport levy with some ancillary income generated from fees and charges and ringfenced grant.

2.3 SYPTTE revenue expenditure generally falls into three categories:

1. Regulatory and discretionary concessions which subsidises the cost to passengers of public transport journeys;
2. Discretionary tendered services which allows SYPTTE to contract with operators for the provision of routes which the market may otherwise not provide; and,
3. The cost of maintaining transport infrastructure (interchanges and bus stops) and operations.

- 2.4** The pandemic and resultant restrictions on movement has had a significant effect on the region's transport usage. Across the bus and light-rail network patronage collapsed and is now still at roughly half the level it was pre-Covid.
- 2.5** The consequence of this collapse in patronage is much reduced fare-box income from fare-paying passengers. Without this income, the operators are unable to deliver a commercially viable service.
- 2.6** To sustain a level of provision and support our communities the MCA, via SYPTTE, has supported operators by continuing to make concessionary and tendered-service payments to operators at pre-Covid levels, despite the reduced patronage. This has guaranteed a level of income to operators and is managed within existing SYPTTE budgets, placing no additional strain on resource.
- 2.7** Furthermore, the MCA has continued to lobby government to recognise the importance of public transport provision as part of the economic and social recovery and the return of pupils to school, with the MCA calling for sustained government support to the network.
- 2.8** Following sustained representation from the MCA and other bodies across the country, the government has committed to extending existing funding for the light-rail network until October with support paid directly to bus operators being reviewed monthly with a two-month notice period for change. Government have also provided additional funding to support additional capacity for dedicated school services over the first term. At the time of writing, the time limitations on the non-school services means that the funding for all modes could be withdrawn by the end of October.
- 2.9** The consequences of a withdrawal of government funding to the network before patronage recovers to sustainable levels could be profound. Under existing conditions, the MCA could not back-fill government support on a sustained basis whilst commercial operators would be unlikely to maintain provision at current levels on a loss-making basis. This would likely lead to a significant contraction in the level of public transport provision.
- 2.10** Recognising this, work is underway across the MCA Group to develop exit-strategies from the existing funding model, testing how the MCA would respond to the threat of systemic withdrawal of unviable services. This exercise will review how the budget could be reorganised to support efficient interventions into the market to protect a level of service.
- 2.11** Over Quarter 1 the SYPTTE revenue budget overspent by £201k. A full budget breakdown is provided in Appendix A. This overspend is largely due to additional expenditure related to Covid coupled with income shortfalls relating to fees and charges. These pressures are partly mitigated by an underspend on bus tendered-services (£105k). That underspend reflects that the budget was set with c. £1m of headroom to support further subsidised routes, but to-date decisions on how that resource could be deployed have been held noting existing pressures and the potential need to fund Bus Review work.
- 2.12** Appendix A further details the forecast full-year outturn position. This is summarised as showing a net underspend for the year of £1.2m. This outturn position has been forecast on a number of assumptions, the most significant being that the government scheme for supporting bus and light-rail runs until patronage has sufficiently recovered to allow for commercially sustainable services. A change in this assumption may have a material impact on the current composition of the budget.
- 2.13** Other factors that will influence the outturn position include decisions on how Bus Review activity is to be funded and whether the government reimburses the MCA for some income shortfalls as part of the Income Loss Relief Scheme open to local government bodies.

- 2.14** The forecast costs of delivering Bus Review activities are still largely undefined both in quantum and timeframe. However, what is known is that the revenue budget was set without provision for this activity. It is proposed that the costs of the Bus Review activity in this financial year be met if necessary from a draw on the MCA's Transport Reserve, but in the event of sufficient underspends accruing the costs be funded from the in-year SYPTTE budget. This will allow the activity to proceed without displacing other priorities, whilst the full costs of the project will be reviewed as part of the business planning and budget setting process for the new financial year. A formal recommendation in this respect will be brought to the MCA when costs are known.
- 2.15** Budget assumptions will be reviewed and tested at the close of Quarter 2, with a second budget revision brought to the MCA in November.
- 2.16 MCA/LEP Operational Revenue Budget**
The MCA/LEP revenue budget funds the core costs of the MCA Executive, providing much of the required infrastructure and support for the delivery of the capital and revenue programmes, and delivering the policy, development, and statutory functions.
- 2.17** The MCA/LEP budget is funded from a disparate variety of funding streams. These include small envelopes of ringfenced grant, recharges to the capital and revenue programmes, and then un-ringfenced funding. Un-ringfenced funding includes general grants, member subscriptions, commercial income generated from the MCA's property assets, and retained business-rates generated from the Enterprise Zones.
- 2.18** The budget was set at £9.9m for the year, and funded from in-year contributions and a draw on a previously earmarked revenue reserve.
- 2.19** A review of both expenditure forecasts and income assumptions has highlighted cumulative un-budgeted pressures of c. £1.81m. These include shortfalls on income of c. £1.2m, emerging net-cost pressures of c. £0.33m, and a change to the proposed use of reserves of c. £0.28m.
- 2.20** Income shortfalls fall into the following categories:

| Source | £k |
|-------------------------|---------------|
| Retained Business Rates | £872 |
| Commercial Income | £238 |
| Deposit Income | £77 |
| | £1,187 |

- 2.20** Retained business rates refer to those rates paid by businesses on the region's Enterprise Zones. Those rates are passported by the billing authorities to the MCA/LEP and go towards supporting core functions.
- 2.21** At a budgeted level of £2m, business rates formed 20% of the MCA/LEP's funding for the revenue budget and represent a key source of un-ringfenced funding. They are, however, relatively volatile. Whilst forecasts are received from partners, assumptions can change mid-year whilst businesses can also challenge the rates they pay over a multi-year basis.
- 2.22** An exercise to test all income assumptions has highlighted that the business-rates have been overestimated by £872k. This over-estimation will now need to be corrected in the current financial year, effectively reducing the resource available to the MCA. These over-estimations relate to two principal issues:

1. A number of successful appeals by businesses to the Valuation Office Agency; and,
2. A change in business use at one major site, that reduces the billable footprint.

- 2.23** Whilst work will be undertaken with the Directors of Finance to identify better early-warning systems for this sort of issue, the matter does reflect the difficulties in aligning an income stream such as this to fixed and core costs.
- 2.25** In the context of the shortfalls to the budgeted business rates and the ongoing risk, it is the recommendation of the Section 73 Chief Financial Officer to reject the previously adopted proposal to draw down £283k from an earmarked Enterprise Zone business rates resilience reserve to support the general budget. Such a draw would impact upon the organisation's financial resilience to manage business rates fluctuations into the future, and it is likely that the current issues will persist – at least in some form – into financial year 2021/22. Revising plans to draw down on this reserve leaves an income shortfall of £283k.
- 2.24** In common with other partners, the MCA is also seeing shortfalls on returns generated from cash held on deposit as returns are depressed in the low interest-rate environment (£77k pressure). This issue is also exacerbated by lower than budgeted returns from the MCA's property assets, principally the Advanced Manufacturing Park Technology Centre (£238k pressure). Market conditions are forecast to impact on tenancy, whilst contributions from the canteen have fallen away with its temporary closure.
- 2.25** On a net-basis forecasts show expenditure pressures of c. £335k. This figure is formed after a decision at this point to hold vacant posts to avoid additional pressures. Whilst there are several factors that contribute to this, the largest single tranche of costs is around the MCA's proposed response to ensuring that employees can work safely, efficiently, and in an agile manner that ensures the Group is resilient against future disruption.
- 2.26** Requirements have been identified for the acceleration of a laptop refresh to replace aged kit that is beyond its warranty period and experiencing high-failure rate; technology improvements to allow for better collaborative working in an agile setting; and the acceleration of previously forecast requirements to repair and replace parts of the ventilation system at Broad Street West. Cumulatively, the costs of these interventions come to £411k.
- 2.27** Recognising these pressures a full budget and balance sheet review has been conducted. This has included a review of capital and revenue reserves, provisions, recharges to programmes, and testing of aged creditors.
- 2.27** Following this review it proposed to manage the cumulative income and expenditure pressures through a combination of the release of provisions and available reserves, the capitalisation of asset purchases, the write back of certain aged creditors to revenue, and the adoption of new recharges to a number of programmes that have come on-stream since the budget was set:

| | £k |
|---|---------------|
| Net Pressure | £1,807 |
| Managed by: | |
| Reserve Release | -£500 |
| Provisions Release | -£609 |
| Capitalisation of Asset Purchase/Repair | -£411 |
| Release of Aged Creditors | -£147 |
| Corporate Recharges to New Programmes | -£100 |
| Budget Challenge | -£40 |
| Mitigated Pressure | £0 |

- 2.28** It is proposed to release a reserve taken to manage income loss during the pandemic (£500k) and a specific provision taken to manage annual Enterprise Zone business rate fluctuations (£259k). A further provision for planned asset maintenance will be released to support the ventilation works at BSW (£200k) whilst provisions of c. £150k that are judged to be no longer required will also be released.
- 2.29** Whilst the identified pressures can be managed in-year, the release of reserves and provisions reduces the MCA's financial resilience going-forward. Accordingly, an exercise is currently underway to further test the deliverability and necessity of all expenditure lines that are not yet in procurement. It is intended that where this exercise identifies unnecessary or undeliverable expenditure, the underspends generated mitigate the need to draw upon reserves.
- 2.30** Finally, following representation from the MCA and counterparts across the country, government have indicated that MCAs will be eligible for reimbursement of certain types of income loss under the government's Income Loss Relief Scheme that was previously made available to local government only. Whilst it is anticipated that the MCA will benefit from this, the lack of specific guidance on which types of income loss will be covered means that at this point it is prudent not to forecast a value.
- 2.31 MCA/LEP Revenue Programmes**
The 2020/21 budget provides resource for the MCA to deliver several revenue programmes in-year. Expenditure and income related to these programmes is differentiated from the core operational revenue budget, reflecting the discrete funding of the programmes and their often time-limited nature.
- 2.32** The latest forecast expenditure shows full year expenditure of £8.96m. This expenditure is fully funded from ring-fenced grant allocations received in year or held from prior years.
- 2.33** At this stage it is forecast that most activity will spend to budget, reflecting the relatively low value and limited scope of much of the activity. However, there has been growth in the number of programmes under way since the start of the year, whilst additional resource is required to be drawn from Mayoral Capacity Fund grant unapplied:

| | £m |
|---|---------------|
| Opening Budget | £6,476 |
| New Grant | |
| Adult Education Budget Implementation | £295 |
| Brownfield | £504 |
| Active Travel | £834 |
| | £1,633 |
| Additional Draw on Unapplied Grant | |
| Mayoral Capacity Fund | £853 |
| Forecast to Outturn | £8,962 |

- 2.34** Since the last Finance report a number of new grant awards have been confirmed. These include:
1. Confirmation of funding for the Adult Education Budget (AEB) Implementation Plan (estimated £296k)
 2. Confirmation of a revenue allocation to accelerate the Brownfield Site (£841k, of which c. £504k will be spent in year)
 3. Confirmation of revenue funding for an Air Quality project (£144k)

2.35 At the time of writing the MCA was still awaiting a response from government on the proposals to extend the Working Health Trial whilst plans will be developed on how to deploy the Air Quality grant now the new school term has commenced.

2.36 MCA Group Capital Programme

The MCA's Group level programme was set for the year at c. £112.76m. Since that point a number of new programmes of funding have been announced and proposals for the addition of new projects are contained in this paper, whilst delivery pressures have been identified.

2.37 These movements can be summarised as follows:

| Programme Movements | £k |
|---------------------------------------|-----------------|
| Base Budget Position | £112,766 |
| New Programmes | £27,438 |
| New Additions | £411 |
| Slippage/Deferrals/Removal of Schemes | -£19,689 |
| Forecast to Outturn | £120,515 |

2.38 Forecast programme changes now account for 15% of the opening programme. These issues are arising across a number of programmes, with the potential to worsen as the year progresses.

2.39 Work is underway within the MCA, and with the collaboration of partners, to understand the drivers for this slippage and seek longer-term mitigations. However, Covid restrictions coupled with the announcement of a significant number of new time-limited programmes has undoubtedly made a challenging target more difficult.

2.40 Local Growth Fund Programme

The LGF programme is now in its final year, with MHCLG reiterating the requirement for all monies to be spent in-year.

2.41 Although the LGF programme is showing a material outturn underspend against the full year budget, the key parameter is the forecast outturn expenditure against the in-year funding. On this metric the programme is currently performing well, with a shortfall of only £344k:

| LGF Programme | £k |
|------------------------------------|-------------|
| Target Expenditure | £43,239 |
| Forecast to Outturn | £42,895 |
| Current Shortfall on Target | £344 |

2.42 This position has been achieved despite reported slippage of £10.92m over the year-to-date. Dynamic use of the pipeline has allowed slipped or removed activity to be largely replaced by pipeline funding:

| LGF Programme | £k |
|-------------------------|----------------|
| Target Expenditure | £43,239 |
| Slippage | -£10,915 |
| Use of Pipeline | £10,571 |
| Forecast Outturn | £42,895 |

2.43 This approach protects the time limited LGF allocations, with slipped activity falling into the new year. That activity can be funded up to the available capital resource held by the MCA. At this time, this is limited to the £15m capital funding recycled from the former JESSICA fund and a number of recycled loans and receipts totalling £3.46m.

2.44 Work is ongoing to test whether there will be further slippage as the year progresses. At this stage there is c. £2.71m of further pipeline schemes that could potentially absorb additional underspend, but as the year progresses it will become ever more difficult to flip schemes in this manner. Should slippage exceed the available resource and LGF underspend not be retained in the region, there is a risk of schemes being unfunded in the new year. Balancing the need to spend the LGF resource and managing the risk of over committing is particularly important.

2.45 Transforming Cities Fund (TCF)

The TCF programme is currently reporting slippage of c. £12.80m against the opening base budget. This represents c. 39% of the programme for the year, with concerns that the number could grow materially as the year progresses.

2.46 TCF is awarded in annual allocations, and whilst there is flexibility to move funding between years within a programme cycle, there is a growing risk that the amount of activity being pushed into the final years of the programme will become increasingly difficult to deliver by the end of the programme in March 2023.

2.47 Getting Building Fund (GBF)

The Getting Building Fund represents part of the government's fiscal stimulus package, with £33.6m of funding being awarded to the region for fourteen 'shovel-ready' schemes.

2.48 MCA processes are being refined to help accelerate these schemes through to FBC, contract, and into delivery. A number of schemes have submitted FBCs and are progressing. At this stage it is anticipated that expenditure will outturn at £7.74m with further expenditure in financial year 2021/22 ahead of the conclusion of the programme in March 2022.

2.49 Brownfield Fund

The Brownfield Site Fund represents a further strand of the government's fiscal stimulus package, with an initial £40m of capital awarded to the region over five years. The region was also successful in bidding for a further £840k of revenue funding that will be used to accelerate activity over the early years.

2.50 Whilst delivery plans are still being developed around this fund it is expected that there will be expenditure by outturn of c. £5.50m.

Highways Maintenance Programmes

2.51 There are three strands to the maintenance programmes:

1. Highways Capital Maintenance (HCM)
2. Integrated Transport Block (ITB)
3. Pot Hole & Challenge Fund

2.52 As part of the government's stimulus package £13.61m of un-budgeted capital resource has been made available to the region for Pot Hole repair. The terms of this funding and a grant determination letter have not yet been received, and therefore work has yet to commence across the region.

2.53 At this stage it is forecast that underspends will accrue on the HCM and ITB schemes, and as the year progresses without finalisation of the conditionality around the Pot Hole funding it will become increasingly likely that this element of the programme will also come under pressure.

2.54 HCM and ITB are not subject to the same degree of time-restraints as some of the other funding afforded to the MCA.

2.55 Group Revenue Reserves

The Group's revenue reserves can be summarised as follows:

| Revenue Reserves | B/f £k | Movement £k | C/d £k |
|--------------------------------------|----------------|----------------|----------------|
| MCA/LEP | | | |
| General | £1,000 | £0 | £1,000 |
| Earmarked | £11,919 | -£2,302 | £9,617 |
| MCA South Yorkshire Transport | | | |
| General | £5,888 | £0 | £5,888 |
| Earmarked | £30,678 | -£5,211 | £25,467 |
| SYPT | | | |
| General | £4,951 | £0 | £4,951 |
| Earmarked | £11,067 | -£646 | £10,421 |
| | £65,503 | -£8,159 | £57,344 |

2.56 General reserves are held to mitigate financial shock and exploit un-budgeted opportunities, whilst those that are earmarked are held for specific purposes previously agreed by the Board or required as part of grant conditions.

2.57 The significant earmarked reserves held by the MCA for South Yorkshire transport purposes reflect the levy reduction reserve that is mitigating the need for levy increases on a multi-year basis, and the Doncaster Interchange PFI reserve which manage the risk of the complex PFI deal.

3. Consideration of alternative approaches

3.1 This report outlines a number of financial pressures and proposals for mitigating them from existing resource. Proposals include the use of reserve balances and balance-sheet flexibility to meet unbudgeted pressures. These proposals are designed to protect priority activity whilst ensuring the MCA's ongoing financial resilience.

3.2 The report notes further work around budget challenge that may mitigate proposed use of reserves.

3.2 Alternative approaches could be to displace activity to avoid drawing on reserves and other balances.

4. Implications

4.1 Financial

This is a Finance report that proposes the adoption of a new budget, with recommendations on the use of reserves and the addition of items to the capital programme.

4.2 Legal

No legal issues arising.

4.3 Risk Management

This report notes a number of risks around the continuation of government funding for the South Yorkshire Transport Network. This matter is on the Finance element of the Corporate Risk Register and has previously been reported to the Audit Committee.

4.4 Equality, Diversity and Social Inclusion

None.

5. Communications

5.1 None

6. Appendices/Annexes

6.1 Appendix A: Tables

| | |
|---------------------|--|
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Background papers used in the preparation of this report are available for inspection at: 11 Broad Street West, Sheffield S1 2BQ

Other sources and references:

Table 1

SYLTE Revenue Budget

| Period 3 - June - Outturn forecast | YTD Budget | YTD Actual | YTD Variance | Full Year Budget | Full Year Outturn | Full Year Variance | % |
|---|-------------------|-------------------|---------------------|-------------------------|--------------------------|---------------------------|-------------|
| | £'000 | £'000 | £'000 | £'000 | £'000 | £'000 | |
| | | | fav/(adv) | | | fav/(adv) | |
| <u>Mandatory Expenditure (Inc enhancements)</u> | | | | | | | |
| ENCTS/Mobility Concessionary Travel | 6,229 | 6,157 | 72 | 24,916 | 24,626 | 290 | 1.2% |
| <u>Financial Obligations</u> | | | | | | | |
| Capital Financing | 1,201 | 1,201 | 0 | 11,288 | 11,288 | 0 | 0.0% |
| Tram Access agreement | 1,000 | 1,000 | 0 | 1,500 | 1,500 | 0 | 0.0% |
| Depreciation | 1,593 | 1,593 | 0 | 2,389 | 2,389 | 0 | 0.0% |
| Pensions | 314 | 314 | 0 | 1,256 | 1,256 | 0 | 0.0% |
| Total Mandatory & Financial Obligations | 10,337 | 10,265 | 72 | 41,349 | 41,059 | 290 | 0.7% |
| <u>Discretionary Expenditure</u> | | | | | | | |
| Child Concessions (net of income) | 534 | 526 | 8 | 2,136 | 2,104 | 32 | 1.5% |
| Departure Charges | (236) | (236) | 0 | (946) | (946) | 0 | 0.0% |
| Bus Tendered Services | 1,455 | 1,350 | 105 | 6,904 | 6,084 | 820 | 11.9% |
| Community Transport | 414 | 414 | 0 | 1,657 | 1,657 | 0 | 0.0% |
| Total Transport Operator Discretionary Expenditure | 2,167 | 2,054 | 113 | 9,751 | 8,899 | 852 | 8.7% |
| <u>Operational Departments</u> | | | | | | | |
| Customer Services | 553 | 692 | (139) | 2,209 | 1,917 | 292 | 13.2% |
| Commission on ticket sales | (115) | (80) | (35) | (460) | (260) | (200) | 43.5% |
| Public Transport | 2,335 | 2,418 | (82) | 8,643 | 8,082 | 561 | 6.5% |
| Rents | (120) | (99) | (21) | (479) | (395) | (84) | 17.5% |
| Service Charges | (441) | (432) | (9) | (1,764) | (1,732) | (32) | 1.8% |
| Car Parking (Inc P&R) | (82) | 7 | (89) | (328) | (58) | (270) | 82.3% |
| Other (vending, turnstiles etc) | (17) | (8) | (10) | (69) | (29) | (40) | |
| Support Departments | 649 | 650 | (1) | 2,592 | 2,782 | (190) | -7.3% |
| Total Operational Expenditure | 2,762 | 3,148 | (386) | 10,344 | 10,307 | 37 | 0.4% |
| Total | 15,266 | 15,467 | (201) | 61,444 | 60,265 | 1,179 | 1.9% |

Table 2

MCA/LEP Revenue Budget

| | 2020/21 Budget | 2020/21 Forecast | 2020/21 Variance |
|--|-----------------------|-------------------------|-------------------------|
| | £k | £k | £k |
| Business Growth, Skills & Employment | £2,495 | £2,222 | -£273 |
| Transport, Infrastructure & Housing | £2,103 | £1,716 | -£387 |
| Governance & Mayoral Office | £606 | £672 | £66 |
| Chief Executive Office | £1,818 | £1,742 | -£76 |
| Business Services (including proposed capital expenditure) | £1,485 | £1,992 | £507 |
| Property Running Costs | £1,729 | £1,777 | £48 |
| Corporate | £0 | £200 | £200 |

| | | | |
|---|---------------|----------------|--------------|
| Vacancy Allowance | £250 | £0 | -£250 |
| Total Gross Operational Budget | £9,986 | £10,321 | £335 |
| Specific grant income and recharges | -£3,425 | -£3,936 | -£511 |
| Total Net Operational Budget | £6,561 | £6,385 | -£176 |
| Funded By: | | | |
| General Income | -£6,278 | -£5,091 | £1,187 |
| Release of Provisions | £0 | -£609 | -£609 |
| Release of Aged Creditors | £0 | -£148 | -£148 |
| PLANNED USE OF GENERAL FUND RESERVES | £283 | £537 | £254 |

Table 3

MCA/LEP Revenue Budget General Income (before recharges/capitalisations)

| | 2020/21 Budget £'000 | 2020/21 Forecast £'000 | 2020/21 Variance £'000 |
|---------------------------------|----------------------------|------------------------------|------------------------------|
| Enterprise Zone Business Rates | 2,009 | 1,137 | -872 |
| BEIS LEP Grant | 500 | 500 | 0 |
| BEIS Growth Hub Grant | 410 | 410 | 0 |
| Transport Hub Subscriptions LEP | 1,000 | 1,000 | 0 |
| Subscriptions | 184 | 184 | 0 |
| AMP Income | 1,620 | 1,382 | -238 |
| Treasury Management | 400 | 323 | -77 |
| Other Property Income | 155 | 155 | 0 |
| | 6,278 | 5,091 | -1,187 |

Table 4

MCA/LEP Revenue Programmes

| Programme Activity | Thematic Area | 2020/21 Budget £k | 2020/21 Forecast £k | 2020/21 Variance £k |
|--|---------------------|-------------------------|---------------------------|---------------------------|
| Health Led Employment Support Trial | Skills & Employment | £1,499 | £1,499 | £0 |
| Skills Bank | Skills & Employment | £790 | £790 | £0 |
| Enterprise Advisor Pilot | Skills & Employment | £180 | £180 | £0 |
| Adult Education Budget Implementation | Skills & Employment | £0 | £295 | £295 |
| Key Account Management | Trade & Investment | £140 | £140 | £0 |
| Growth Hub | Business Growth | £0 | £0 | £0 |
| Active Travel Emergency Fund (Revenue) | Transport | £0 | £834 | £834 |
| Sustainable Travel Access Fund | Transport | £2,500 | £2,500 | £0 |

| | | | | |
|-------------------------|----------------|---------------|---------------|---------------|
| HS2 Growth | Transport | £184 | £184 | £0 |
| One Public Estate | Infrastructure | £338 | £338 | £0 |
| Energy & Sustainability | Infrastructure | £43 | £43 | £0 |
| Planning Delivery Fund | Planning | £41 | £41 | £0 |
| Homeless Veterans | Housing | £90 | £90 | £0 |
| Brownfield | Housing | £0 | £504 | £504 |
| Mayoral Capacity Fund | Mayor's Office | £671 | £1,524 | £853 |
| Total | | £6,476 | £8,962 | £2,486 |

Table 5

Group Capital Programme

| Programme | Budget | Forecast Outturn | Variance |
|--|-----------------|-----------------------------|-----------------|
| | £k | £k | £k |
| Local Growth Fund | £47,286 | £42,895 | -£4,391 |
| Brownfield Fund | £0 | £5,495 | £5,495 |
| Getting Building Fund | £0 | £7,735 | £7,735 |
| Active Travel Emergency Fund (Capital) | £0 | £603 | £603 |
| Highways Capital Maintenance | £13,552 | £12,302 | -£1,250 |
| Pothole & Challenge Fund | £0 | £13,605 | £13,605 |
| SYLTE (excluding ITB & TCF) | £10,054 | £9,899 | -£155 |
| Integrated Transport Block | £8,731 | £7,231 | -£1,500 |
| Transforming Cities Fund | £32,671 | £19,867 | -£12,804 |
| ICT and Asset Renewals | £0 | £411 | £411 |
| BDR Transport Capital Pot | £472 | £472 | £0 |
| | £112,766 | £120,515 | £7,749 |

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21st SEPTEMBER 2020

CLADDING REMEDIATION OF HIGH RISE BUILDINGS

Purpose of Report

To consider progress since the Grenfell Disaster in replacing unsafe cladding on high rise buildings in the Sheffield City Region, and discuss actions to ensure that the necessary building safety improvements continue.

Thematic Priority

To secure investment in infrastructure where it will do most to support growth.

Freedom of Information and Schedule 12A of the Local Government Act 1972

This paper will be available under the Combined Authority Publication Scheme

Recommendations

It is recommended that Members:

- Note the Mayor's pledge to ensure necessary building safety improvements to high rise blocks continues at pace;
- Note the positive and rapid actions already undertaken by Local Authorities in the Sheffield City Region to deliver safety improvements to high rise blocks; and
- Discuss ongoing issues experienced in tackling cladding remediation, and further actions that need to be taken to continue addressing the ongoing safety issues, including any supportive actions by the Mayor.

1. Introduction

- 1.1** On the 15th April 2020, Mayor Dan Jarvis and other Mayors met with the Rt Hon Robert Jenrick (Secretary of State for Housing, Communities and Local Government) to discuss progress with the remediation of high-rise buildings following the Grenfell Tower disaster in 2017.
- 1.2** The Secretary of State sought support from Mayors to help ensure the progression of cladding remediation work in a safe and appropriate way continues through the current difficult Covid-19 period and beyond. At the time, many construction sites had paused operations due to the Pandemic to minimise spreading the virus.
- 1.3** The outcome of this discussion was the publication of a joint Pledge by English Mayors and the Secretary of State in April 2020 to support the progression of recladding works in a safe manner. The Pledge is set out in Appendix 1.

2. Proposal and justification

Progress in Replacing Cladding

- 2.1 All the SCR Local Authorities began work immediately after the Grenfell Tower Block disaster in June 2017 to identify potential tower blocks with similar style aluminium composite material (ACM) cladding system that may pose a health and safety risk. This is the cladding system that had been widely used in the UK but had failed the Government's new test on combustibility. The test also though included investigating the whole cladding 'system' including fixings, insulation and external cladding fascia.
- 2.2 The initial assessments by both Barnsley and Rotherham Councils indicated that there were understood to be no tower blocks of local authority/public sector or private ownership in either of their districts which had ACM cladding.
- 2.3 St Leger Homes Doncaster (SLHD) manages the Council owned housing stock in the Borough on behalf of Doncaster Council. Only one high rise block of a total of nine owned by the Authority, was found to have part ACM cladding and part High Pressure Laminate (HPL) cladding. All the cladding was replaced within six months and so there are no further issues with ACM or HPL on the high rise blocks in Doncaster managed by SLHD. The costs of the removal was funded by the contractor and the Government's Cladding Remediation Fund (CRF). There are no other high rise blocks in the Borough.
- 2.4 Although nationally there have been some HPL incidences, MCHLG have not instructed local authorities to check HPL, but this and a number of other cladding solutions may well be the subject of future legislation and combustibility testing.
- 2.5 Based on their experience, Sheffield City Council (SCC) has been working closely with MCHLG on the improvements required to regulate high rise and high risk buildings in the UK, and attends MCHLG Groups and is a pilot local authority for resident involvement.
- 2.6 Sheffield has around 100 high rise buildings over 18m and following the Grenfell fire, SCC carried out a robust check of all of these with the South Yorkshire Fire and Rescue Service (SYFRS), collating data to ensure that tower blocks and their residents were safe. SCC established a Post Grenfell Fire Safety Board with the SYFRS and representatives from key regulatory services to improve the regulation of buildings and owner responsibilities.
- 2.7 SCC owns and manages 24 of these blocks and used the Government's testing regime to test whether the cladding materials met the Government's criteria. They also appointed their own testing specialist for the remaining blocks, testing both the insulation and the cladding materials, and reported results to all residents living in the SCC owned buildings. One tower block was found to have an ACM cladding system which failed the Government's new test, and following consultation with residents and securing CRF funding, the cladding was replaced.
- 2.8 In total, there were seven tower blocks in Sheffield that had ACM material (including a hotel and a non-residential building). An exercise was undertaken with SYFRS and building owners of the six blocks in private ownership to ensure that their Fire Risk Assessments and short-term risk mitigations for the ACM cladding were in place for each building until the longer term solution to remove the cladding was carried out. The ACM on some of these blocks has now been replaced and plans are in place with building owners for the remaining blocks. However, progress has been slow mainly due to the complexity of removing the defective material, affordability, consulting with leasehold owners and arranging the finance for the removal and replacement. SCC is continuing dialogue with the private owners through its statutory regulation powers and working with MCHLG to enable them to access the Government funding that is available

Ongoing Issues and Actions

- 2.9** Local Authorities are collating building data on all high rise blocks over 18m for submission to MCHLG by October 2020. This is providing an accurate understanding of materials used and installation details, but has highlighted a number of issues, concerns and barriers that may require Government intervention and support as the next stage in addressing the safety aspects of high rise blocks; including:
- **Costs:** There are still challenges in meeting costs associated with ACM cladding remediation both for public and private sector owned properties. Following the building data review, Government may recommend further actions to improve fire safety regulations including other forms of cladding. This could have significant cost implications for both the public and private sector owners which won't have been accounted for in financial plans. New regulations also require additional fire safety protection as recommended in the Dame Judith Hackitt review of Building Regulations and Fire Safety.
 - **Building Inspector Cooperation:** Following the de-regulation of building inspections, a common issue is being able to obtain information from developer appointed Approved Building Inspectors (ABI) at the planning stage, and which is the same for existing buildings. SCC have robustly addressed this issue and through direct working with MCHLG have provided examples of poor practice from a small number of ABI's that have seriously compromised the safety of private blocks and residents and a number of prohibition notices have been instigated. This has also identified additional ACM and evidence that some ABIs hadn't visited sites and / or had poor signing-off of work practices
 - **Engineering challenges:** Engineering challenges have been encountered when removing and replacing cladding as they were 'built to last.' Most cladding solutions were to remain on blocks for 30 years. This does mean a significant amount of work to remove the cladding system and this is time consuming for buildings and residents and also costly. Some of the other privately owned blocks in Sheffield are over 20 storeys high so may require more difficult and more expensive engineering solutions.
 - **Specialist equipment:** Although, as the Country went into lockdown in March/April, work on some sites stopped for a period of time, developers and contractors have now returned to work and are operating in a safe and socially distanced way. However, discussions contractors has indicated that some difficulties are being experienced in accessing specialist equipment to operate at height, and also the increasing costs of scaffolding.

Supporting Local Authorities

- 2.10** 'The Pledge' signed by Mayor Dan Jarvis in April 2020 set out a number of actions and outcomes for seeking to maintain rapid momentum on ensuring that high rise blocks, where relevant, are made safe for those living and working within them.
- 2.11** Local authorities across the SCR made rapid and significant progress in supporting the Government's recommendations including both in their review of Building Regulations and Fire Safety and in implementing measures to achieve higher levels of safety, particularly in the publicly owned high rise blocks. However, there remains further challenges ahead, some of which could be very significant and have significant financial costs, particularly, if the Government decides to extend the types of cladding that require replacing.
- 2.12** A further issue that is being overlooked is the significant cost of introducing additional fire safety precautions for existing buildings which is having a significant impact on local

authority Housing Revenue Accounts. No financial support is being provided for building owners so these costs are needing to be passed on in terms of higher rents and leasehold bills. There is also no financial support for local authorities for the extra resources internally who have to regulate this area through their Private Sector Housing Teams.

- 2.13** The Mayor recognises that Government grant funding should be provided to support additional improvements needed as a result of any enhanced safety requirements in the future and will lobby Government to this effect. The Mayor is also aware that local authority budgets have already been squeezed in responding to Covid-19 and there are also additional resource implications for monitoring and regulating the situation. Furthermore, private sector landlords may not have built any future costs into their financial planning and it would not be appropriate for vulnerable tenants, many of whom live in these properties, to 'foot the bill' through rent increases.
- 2.14** Similarly, it is recognised that further Government intervention is required to ensure Approved Building Inspectors release the details of previous building inspections requested by local authorities and the Fire Service.
- 2.15** However, the Mayor would welcome Leaders' views on further actions that need to be taken to address the ongoing safety issues, and any interventions and support the Mayor could provide in supporting SCR Authorities to do this.

3. Consideration of alternative approaches

- 3.1** This report is intended to elicit a discussion and draw out any areas in which the Mayor could usefully provide support to ensure necessary building safety improvements can continue and, therefore, no alternative approaches have been considered.

4. Implications

- 4.1 Financial**
None arising directly from this report
- 4.2 Legal**
None arising directly from this report
- 4.3 Risk Management**
None arising directly from this report
- 4.4 Equality, Diversity and Social Inclusion**
The issue of safe cladding and general high-rise building safety affects tenants living and working in high rise blocks. These include some of the most vulnerable residents in the SCR, who may not have other affordable housing options available to them and who won't be able to afford to contribute to remediating any problems identified.

5. Communications

- 5.1** None arising from this report.

6. Appendices/Annexes

- 6.1** Appendix 1: Pledge to Ensure Necessary Building Safety Improvements Can Continue

| | |
|----------------------|--|
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Background papers used in the preparation of this report are available for inspection at: 11 Broad Street West, Sheffield S1 2BQ.

Other sources and references: None

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Secretary of State and Mayors' Pledge To Ensure Necessary Building Safety Improvements Can Continue

April 2020

Saving lives is our number one priority, which is why we have told people they must stay at home and help protect the NHS.

We know that for some residents, ongoing work to your buildings may feel like an unwelcome imposition at this difficult time.

But with more people staying at home than before, efforts to improve residents' safety are as important as they have ever been.

That is why it is vital that buildings are made safe as quickly as possible. All residents deserve to be, and feel, safe in their own homes.

Making buildings safe, including remediating high-rise buildings with unsafe cladding, is a priority for all of us.

We are clear that building safety work should continue where it is safe to do so, in accordance with public health guidance and procedures put in place by the construction industry to protect the workforce and minimise the risk of spreading infection.

Workers safety and wellbeing must be taken seriously. They deserve our appreciation for continuing to support this essential work at this difficult time. Employers should ensure their workers on-site are able to follow this advice, and they should consider responsible arrangements for ensuring their workers can travel safely, such as through staggering site hours to reduce public transport use during peak periods.

Recent weeks have seen some employers leading the way in adapting their procedures to ensure this important work continues, such as by allocating decontamination areas on site and by providing additional washing facilities to reduce the number of workers gathering together.

We hope those leading the remediation work can continue where it is safe to do so and that residents feel able to co-operate with any reasonable conditions that may be required for them to be safe.

We will continue to do all we can to support this important work and to support affected residents.

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21st September 2020

Governance Arrangements to Support the Leadership of Thematic Priorities

Purpose of Report

This report seeks approval of governance changes (including changes to the Constitution) to the Thematic Boards.

Thematic Priority

Cross cutting.

Freedom of Information and Schedule 12A of the Local Government Act 1972

Under the Freedom of Information Act this paper and any appendices will be made available under the Combined Authority Publication Scheme. This scheme commits the Authority to make information about how decisions are made available to the public as part of its normal business activities.

Recommendations

Members approve the changes to the Thematic Boards set out in sections 2.2 to 2.6 below and approve the Monitoring Officer to make the consequential amendments to the Constitution by adopting the Terms of Reference at Appendices A-D.

1. Introduction

- 1.1 Thematic Boards were first established by the MCA in early 2019. The rationale for these Boards includes:
- Achieving an efficient, effective and transparent model for decision making;
 - Collaborating to build collective and combined decisions to deliver the outcomes identified in the Strategic Economic Plan (SEP);
 - Providing strong and accountable leadership in setting the agenda and delivering a defined programme of activity to rigorously realise the outcomes of the SEP; and
 - Scrutinising the planned and ongoing activity to deliver the best outcomes for the region and value for money
- 1.2 The Boards have not been held in public, but the papers and minutes are made available to the public before the meeting and the public can submit questions. This allows for open policy discussion, whilst providing transparency. The MCA has now secured, by Parliamentary Order, the additional powers and gainshare funding agreed as part of the devolution deal. This has necessitated the Mayor, Leaders and the SCR Executive reviewing the effectiveness of the Thematic Boards and proposing amended arrangements to best

reflect a proposed new operating model, ensuring that the Members of the MCA, in conjunction with the private sector LEP Board Members, take a lead in driving forward MCA priorities. This paper seeks approval to make the required governance changes to achieve this (including changes to the Constitution) and to implement the changes set out in section 2.

2. Proposal and justification

- 2.1** The new operating model for the MCA will be based on the principle of the Thematic Board Co-chairs, supported by the cabinet members from the Districts, owning and leading on a policy theme, with Chief Executives providing advice, taking a city region wide perspective, to the Co-chairs. MCA Officers will engage consistently with Co-chairs, the lead Chief Executive and other Members in order to shape, craft and direct positions early and in advance of formal decision making. To ensure the effectiveness of this proposal, within a common framework, the detail of this engagement will be bespoke to the requirements of each thematic area and to the preferences of the Co-chairs.

Linked to the formal governance changes the Mayor, Leaders, Chief Executives and LEP Co-chairs are establishing arrangements to ensure that there is significant cross working and communication between Boards.

2.2 New Proposals

The proposed new Thematic Board structure is as follows:

Number - the number of Thematic Boards to be reduced from 5 to 4 as follows:

- i. Business Recovery and Growth;
- ii. Education, Skills and Employability;
- iii. Transport and the Environment; and
- iv. Housing and Infrastructure.

The new policy areas and remit of these Boards, indicated by the title, reflect the priorities of the new Strategic Economic Plan (2020-2040) which is currently under consultation.

- 2.3** Membership - the proposed Membership make up is as follows:
- i. Co-chairs (1 Constituent Council Leader and 1 LEP Board Member);
 - ii. Lead Chief Executive from Constituent Council;
 - iii. SCR Executive Officer (Chief Executive/Director level);
 - iv. Elected Member from each Constituent Authority;
 - v. Second LEP Board Member

Membership of Non-Constituent Councils on Thematic Boards

Following the LEP boundary review in 2019 the funding provided to the MCA will, from April 2021, (end of present LGF funding period), be exclusively related to South Yorkshire. It is therefore proposed that no non-constituent Council members are actual Members of the Boards, but that each Council is given the right to have an elected Member attend and participate, but not vote. This arrangement aims to recognise the role the non-Constituent Council areas play in the functioning economic geography of the city region and provides opportunity for representation on issues directly or indirectly affecting their localities.

2.4 Initial Membership - the proposed actual Membership of each Board is as follows:

| | SCR Leader | LEP Member (Co-chair) | Lead Chief Executive | SCR Officer | Con Council Member x4 | 2nd LEP Member |
|--|-------------------------|------------------------------|-----------------------------|--------------------|------------------------------|----------------------------------|
| Business Recovery and Growth Board | Mayor Ros Jones | Neil MacDonald | Sharon Kemp | Dave Smith | TBD | Richard Stubbs |
| Education, skills and employability Board | Cllr Sir Steve Houghton | Nigel Brewster | Charli Adan /Kate Josephs | Dave Smith | TBD | Chris Husbands |
| Transport and the Environment Board | Cllr Chris Read | Peter Kennan | Sarah Norman | Mark Lynam | TBD | TBD |
| Housing and Infrastructure Board | Cllr Julie Dore | Owen Michaelson | Damian Allen | Mark Lynam | TBD | Tan Khan |

2.5 Terms of Reference - the proposed Terms of Reference for each Board are set out in Appendices A-D. The following matters are of note:

Delegations (section 3 of each Terms of Reference)

It is proposed that each Board is responsible for:

- formulating policy in its area of responsibility for agreement by the MCA
- agreeing investments up to £2m
- recommending investments over £2m to the MCA
- accepting grants up to £2m
- awarding contracts for the supply of goods/services up to £200,000.

These delegations remain unchanged from the arrangements currently in place.

Frequency of Meetings (section 5 of each Terms of Reference)

It is proposed that each Board meet at least on an 8-week cycle aligned to the 8-week MCA meeting schedule. This remains unchanged from the arrangements currently in place. Additional meetings, dependent on business need, will be agreed with Co-chairs and will observe publication requirements for papers, minutes and key decisions. Each Board may also determine to have informal intermediate meetings where discussion is required mid-cycle

Transparency (section 13 of each Terms of Reference)

It is proposed that:

- papers are made available to the public 5 clear working days before the meeting
- the public can submit questions and receive a written response.
- meetings will be held in private and minutes made available to the public within 10 working days of the meeting taking place.

These arrangements remain unchanged from those currently in place.

2.6 **Advisory Boards** (section 12 of each of the terms of reference)

It is proposed that the following Advisory Boards formally report as follows (this will give the Boards a formal place in the governance arrangements of the MCA):

- Joint Assets Board (existing Board) – Report to the Housing and Infrastructure Board.

- Growth Hub Board (existing Board)–Report to the Business Recovery and Growth Board
- Skills Advisory Network Board (new Board)– Advisory Board reporting to the Education, Skills and Employment Board. **NB. The Skills Advisory Network Board is a requirement of Adult Education Budget devolution.**

3. Consideration of alternative approaches

- 3.1 Current arrangements could be maintained however these arrangements may not be effective in achieving the objectives of the MCA as set out in the new Strategic Economic Plan.

Formal Committees arrangements would be impractical due to the time pressures this would place on each of the 4 Leaders and the Mayor and would not allow for the effective involvement of the LEP Board Members e.g. through the co-chairing arrangements.

4. Implications

4.1 Financial

The changes proposed will have no material effect on MCA finances but new arrangements will further strengthen governance processes around the allocation of funding to meet MCA priorities.

The proposed financial delegations for the Thematic Boards are set out in section 2.5 above and in each terms of reference.

4.2 Legal

The constitution will be updated to reflect the changes to the Terms of Reference and the reduced number of Thematic Boards

Given these Boards are not formal sub-committees of the MCA (as they include Members who are not MCA Members) the formal decision making function is delegated to an officer of the MCA who will either act in accordance with the unanimous decision of the Board or refer the decision to the MCA/LEP.

4.3 Risk Management

Robust decision-making processes and appropriate governance arrangements are key elements of the MCAs control framework. Arrangements that are not fit for purpose or not aligned to the priorities of the MCA could lead to poor decisions and a failure to achieve objectives.

4.4 Equality, Diversity and Social Inclusion

There are no equality, diversity or social inclusion implications arising from the changes proposed.

5. Communications

- 5.1 Changes to Thematic Board arrangements will be communicated appropriately to local authority partners, publicly available information on the website will be updated as required.

6. Appendices/Annexes

6.1 Appendices A-D - Terms of Reference of the 4 Thematic Boards

| | |
|---------------------|--|
| Report Author | Steve Davenport |
| Post | MCA Monitoring Officer |
| Officer responsible | Dave Smith |
| Organisation | Chief Executive |
| Email | Dave.smith@sheffieldcityregion.org.uk |
| Telephone | 0114 2205000 |

Background papers used in the preparation of this report are available for inspection at: 11 Broad Street West, Sheffield S1 2BQ

Other sources and references:

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APPENDIX 1

TERMS OF REFERENCE FOR THE BUSINESS RECOVERY AND GROWTH BOARD

Business Recovery and Growth Board

Terms of Reference



1. Purpose and Role

1.1 The purpose of the Business Recovery and Growth Board is to provide leadership, development of policy and the delivery of a programme of activity aligned to the priorities of the Strategic Economic Plan, the Recovery Action Plan and other approved strategies associated with business support and business growth.

1.2 The role of the Business Recovery and Growth Board is to:

- Shape future policy development and priorities on issues related to business recovery, innovation, enterprise and growth
- Develop new business recovery and growth programmes
- Make investment decisions up to £2 million within the agreed budget and policy on business recovery and growth, as delegated by the Mayoral Combined Authority (MCA)
- Accept grants with a value of less than £2 million
- Monitor programme delivery and performance on business recovery and growth
- Monitor the performance of services provided to support business and develop trade and investment opportunities
- Receive reports from the Growth Hub Board

2. Responsibilities

2.1 The Business Recovery and Growth Board is responsible for:

Funding

- Approving, deferring or rejecting funding applications for business recovery and growth projects that fall within the financial limit of delegated authority, and which are within the budgets agreed by the MCA and Local Enterprise Partnership (LEP)
- Making recommendations to the MCA to approve, defer or reject funding applications for business recovery or business growth projects in the that exceed the financial limit of delegated authority, and which are within relevant budgets
- Making recommendations to approve, defer or reject applications for business recovery or business growth projects to form part of a project pipeline where relevant.

Strategy and Policy

- Ensuring that business recovery and growth policies developed by the Board and agreed by the MCA and LEP are enacted effectively through appropriate investments
- Reviewing economic intelligence and evidence of regional economic performance on business recovery and growth and identifying propositions to accelerate growth
- Developing and managing relationships with key stakeholders and partners.

Programme Delivery

- Commissioning of activity to deliver and implement the priorities on business recovery and growth
- Monitoring business recovery and growth programmes and project delivery
- Overseeing the management and development of the Growth Hub through the Growth Hub Board

Performance and Risk Management

- Reviewing project performance, outputs and outcomes
- Identifying and recommending mitigations for any programme risks or poor performance
- Escalating any strategic, policy or programme risks to the MCA and LEP.

3. Delegated Authority

- 3.1 In order to enact its responsibilities, the Business Recovery and Growth Board will have delegated authority from the MCA to approve investment decisions for agreed pipeline projects up to £2 million.
- 3.2 The Business Recovery and Growth Board will have delegated authority to accept grants with a value of less than £2 million.
- 3.3 The Business Recovery and Growth Board will have delegated authority to accept a tender or quotation for the supply of goods, materials or services for which financial provision has been made in the Authority's Revenue Budget up to a limit of £200,000.00 in value for any one transaction.
- 3.4 The Business Recovery and Growth Board may refer a matter or decision within their delegated authority to the MCA or LEP.

4. Membership

- 4.1 The Business Recovery Growth Board will be co-chaired by the MCA portfolio lead for Business Recovery and Growth and a private sector LEP Board member.
- 4.2 Membership of the Business Recovery Growth Board will comprise of:
 - One Leader, who is the portfolio lead, from an MCA constituent Local Authority, who will co-Chair the Board;

- A nominated elected member representative for each of the constituent Local Authorities;
 - A lead Chief Executive from a constituent Local Authority
 - Two private sector LEP Board members, one of whom will co-Chair the Board; and
 - The MCA Head of Paid Service (or their nominated representative).
- 4.3 Elected Members can nominate a deputy to attend meetings of the Board in their absence. All deputies must be named, elected members and must complete a Register of Interests Form.
- 4.4 Each of the non-constituent Local Authorities can nominate an elected member to attend and participate in the meetings but not vote.
5. Frequency
- 5.1 The Business Recovery and Growth Board will meet on an eight-weekly cycle.
6. Secretariat
- 6.1 The Sheffield City Region Executive Team will provide the secretariat for the Business Recovery and Growth Board.
- 6.2 Papers and presentations for Board meetings will be circulated to Board members five clear working days in advance of the meeting.
7. Attendance
- 7.1 Consistent attendance at the Business Growth Board meetings is essential and attendance will be recorded.
8. Quorum
- 8.1 Meetings of the Business Recovery and Growth Board will be quorate when five members are present and provided that there are at least 2 constituent Local Authority elected member representatives and one LEP member present. A member who is obliged to withdraw under the Code of Conduct for Members shall not be counted towards the quorum.
- 8.2 A Board member may be counted in the quorum if they are able to participate in the meeting by remote means e.g. telephone, video or electronic link and remain available for the discussion and decision items on the agenda.
9. Decision Making

- 9.1 Board decisions are legally taken by the Head of paid Service (or their nominated representative) in consultation with the co-Chairs of the Board. By protocol, decisions will not be taken unless there is Board consensus for the decision. Where consensus cannot be reached the issue will be escalated to the MCA and/or the LEP as appropriate for final decision.
- 9.2 Decisions made by the Business Recovery and Growth Board will be presented to the MCA in a written Delegated Decisions Report at the next meeting. As the delegating body, the MCA will have the right to review or amend decisions made by the Business Growth Board where such decision has not been acted upon subject to giving due reason for doing so.

10. Conflicts of Interest

Register of Interests

- 10.1 All Board Members and deputies must complete a Register of Interests Form within 28 days of being appointed to the Business Recovery and Growth Board. This must disclose any disclosable pecuniary interests (as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) for the Member, their spouse, their civil partner or partner. Completed Register of Interests Forms for all Board Members are published on the website.
- 10.2 It is the responsibility of every Business Recovery and Growth Board Member to ensure that their Register of Interests Form is up-to-date and declare any new interests within 28 days of this being known.
- 10.3 Interests declared by Business Recovery and Growth Board Members will be listed on the Register of Members' Interests and published on the website.

Declarations of Interest at Board Meetings

- 10.4 It is the responsibility of Board members to declare any disclosable pecuniary interest (as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) and any other personal interests whether financial or non-financial in specific agenda items at the start of each Business Recovery and Growth Board meeting.

11. Urgent decisions between meetings

- 11.1 This procedure is to be used only by exception
- 11.2 When an urgent matter or decision falls outside the parameters of the meeting cycle, the Business Recovery and Growth Board will be permitted to make decisions through this procedure. If the matter is a Key Decision

the procedure in Part 5B (Access to Information Procedure Rules) of the Constitution also needs to be complied with.

11.3 The Head of Paid Service (or their nominated representative), in consultation with the Chairs of the Business Recovery and Growth Board, will contact Board Members by email to notify them of the following:

- Details of the matter requiring comment and/or decision;
- The name of the person or persons making or putting forward the proposal/decision;
- The reason why the matter cannot wait until the next Board; and
- The date responses are required by.

Two working days after the close of responses, the following will be circulated to all Board Members:

- The outcome of the decision taken (noting that for a decision to be agreed the unanimous agreement of all those Board Members that respond by the date set for responses is needed);
- The date when any decision comes into effect; and
- Any mitigating action taken to address stated views or concerns.

11.4 Decisions and actions taken will be retrospectively reported to the next meeting of the Business Recovery and Growth Board and MCA in accordance with paragraph 9.2 above.

12. Advisory Groups

12.1 The Growth Hub Board will be an advisory board to the Business Recovery and Growth Board. The Business Recovery and Growth Board will approve changes to the advisory board terms of reference and will receive regular reports from the Growth Hub Board Chair.

12.2 The Business Recovery and Growth Board will be supported in making investment decisions by an independent Appraisal Panel. The Appraisal Panel will assess all applications for funding and will present their findings and recommendations to the Board on whether the application should be approved, deferred or rejected.

12.3 The Business Recovery and Growth Board is permitted to form Task and Finish groups of key stakeholders and advisors to assist in the management and monitoring of individual programmes or projects. Any such groups are purely advisory and must submit reports to the Business Recovery and Growth Board.

13. Transparency

Key Decisions

- 13.1 Key decisions to be taken by the Business Recovery and Growth Board will be published in the Forward Plan of Key Decisions on the website 28 days in advance of the decision being made.
- 13.2 Questions and comments submitted by the public on the pending decisions will be notified to the Business Recovery and Growth Board and will be responded to in writing.

Meeting Papers

- 13.3 Agendas and papers for the Business Recovery and Growth Board will be published on the website at least five clear working days before the meeting date.

Exemptions

- 13.4 Where reports or information for Board meetings is exempt from disclosure under Section 12A of the Local Government Act 1972 or the Freedom of Information Act 2000, these papers will either be reserved or specific information in the paper will be redacted.
- 13.5 Reserved papers and reports can still be requested under the Freedom of Information Act. Requests will be considered on a case by case basis (taking into consideration such factors as timing, any applicable exemptions and the public interest test).

Meeting Record

- 13.6 Draft minutes will be published on the website within ten clear working days of the Business Recovery and Growth Board meeting taking place. The meeting record (approved minutes) will be published on the website within ten clear working days of the subsequent Business Recovery and Growth Board meeting.

14. Amendments to Terms of Reference

- 14.1 These Terms of Reference will be reviewed annually. Any changes will be approved by the MCA and LEP Boards.

APPENDIX 2

TERMS OF REFERENCE FOR THE HOUSING AND INFRASTRUCTURE BOARD

Housing and Infrastructure Board

Terms of Reference



1. Purpose and Role

1.1 The purpose of the Housing and Infrastructure Board is to provide leadership, development of policy and the delivery of a programme of activity aligned to the priorities of the Strategic Economic Plan, the Recovery Action Plan and other approved strategies associated with housing and infrastructure.

1.2 The role of the Housing and Infrastructure Board is to:

- Shape future policy development and priorities on issues related to housing and infrastructure
- Develop new housing and infrastructure programmes
- Make investment decisions up to £2 million within the agreed budget and policy on housing or infrastructure, as delegated by the Mayoral Combined Authority (MCA)
- Accept grants with a value of less than £2 million
- Monitor programme delivery and performance on housing and infrastructure.

2. Responsibilities

2.1 The Housing and Infrastructure Board is responsible for:

Funding

- Approving, deferring or rejecting funding applications for housing and infrastructure projects that fall within the financial limit of delegated authority, and which are within the budgets agreed by the MCA and, where appropriate, Local Enterprise Partnership (LEP)
- Making recommendations to the MCA to approve, defer or reject funding applications for housing or infrastructure projects that exceed the financial limit of delegated authority, and which are within the relevant budgets
- Making recommendations to approve, defer or reject applications for housing or infrastructure projects to form part of a project pipeline where relevant.

Strategy and Policy

- Ensuring that housing and infrastructure policies developed by the Board and agreed by the MCA and LEP are enacted effectively through appropriate investments
- Reviewing economic intelligence and evidence of economic performance on housing and infrastructure and identifying propositions to accelerate growth
- Developing and managing relationships with key stakeholders and partners

Programme Delivery

- Commissioning of activity to deliver and implement priorities on housing and infrastructure
- Monitoring housing and infrastructure programme and project delivery
- Overseeing the management of the regions Enterprise Zones

Performance and Risk Management

- Reviewing project performance, outputs and outcomes
- Identifying and recommending mitigations for any programme risks or poor performance
- Escalating any strategic, policy or programme risks to the MCA and LEP

2.3 The Transport and Environment Board will be consulted on residential and commercial development projects which incorporate link roads or junction improvements and on developments that promote low carbon and biodiversity net gain requirements (in the context of Modern Methods of Construction) but decisions on such projects will be taken by the Housing and Infrastructure Board.

3. Delegated Authority

3.1 In order to enact its responsibilities, the Housing and Infrastructure Board will have delegated authority from the MCA to approve investment decisions for agreed pipeline projects up to £2 million.

3.2 The Housing and Infrastructure Board will have delegated authority to accept grants with a value of less than £2 million.

3.3 The Housing and Infrastructure Board will have delegated authority to accept a tender or quotation for the supply of goods, materials or services for which financial provision has been made in the Authority's Revenue Budget up to a limit of £200,000.00 in value for any one transaction.

3.4 The Housing and Infrastructure Board may refer a matter or decision within their delegated authority to the MCA or LEP.

4. Membership

4.1 The Housing and Infrastructure Board will be co-chaired by the MCA portfolio lead and a private sector LEP Board member.

4.2 Membership of the Housing and Infrastructure Board will comprise:

- One Leader, who is the portfolio lead, from an MCA constituent Local Authority, who will co-Chair the Board
- A nominated elected member representative for each of the constituent Local Authorities

- A lead Chief Executive from a constituent Local Authority
- Two private sector LEP Board members, one of whom will co-Chair the Board
- The MCA Head of Paid Service (or their nominated representative)

4.3 Elected members can nominate a deputy to attend meetings of the Board in their absence. All deputies must be named, elected members and must complete a Register of Interests Form.

4.4 Each of the non-constituent Local Authorities can nominate an elected member to attend and participate in the meetings but not vote.

5. Frequency

5.1 The Housing and Infrastructure Board will meet on an eight-weekly cycle.

6. Secretariat

6.1 The Sheffield City Region Executive Team will provide the secretariat for the Housing and Infrastructure Board.

6.2 Papers and presentations for Board meetings will be circulated to Board members five clear working days in advance of the meeting.

7. Attendance

7.1 Consistent attendance at the Housing and Infrastructure Board meetings is essential, and attendance will be recorded.

8. Quorum

8.1 Meetings of the Housing and Infrastructure Board will be quorate when five members are present and provided that there are at least 2 constituent Local Authority elected member representatives and one LEP member present. A member who is obliged to withdraw under the Code of Conduct for Members shall not be counted towards the quorum.

8.2 A Board member may be counted in the quorum if they are able to participate in the meeting by remote means e.g. telephone, video or electronic link and remain available for the discussion and decision items on the agenda.

9. Decision Making

9.1 Board decisions are legally taken by the Head of paid Service (or their nominated representative) in consultation with the co-Chairs of the Board. By protocol, decisions will not be taken unless there is Board consensus

for the decision. Where consensus cannot be reached the issue will be escalated to the MCA and/or the LEP as appropriate for final decision.

- 9.2 Decisions made by the Housing and Infrastructure Board will be presented to the MCA Board in a written Delegated Decisions Report at the next meeting. As the delegating body, the MCA will have the right to review or amend decisions made by the Housing and Infrastructure Board where such decision has not been acted upon subject to giving due reason for doing so.

10. Conflicts of Interest

Register of Interests

- 10.1 All Board Members and deputies must complete a Register of Interests Form within 28 days of being appointed to the Housing and Infrastructure Board. This must disclose any disclosable pecuniary interests (as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) for the Member, their spouse, their civil partner or partner. Completed Register of Interests Forms for all Board Members are published on the website.
- 10.2 It is the responsibility of every Housing and Infrastructure Board Member to ensure that their Register of Interests Form is up-to-date and declare any new interests within 28 days of this being known.
- 10.3 Interests declared by Housing and Infrastructure Board Members will be listed on the Register of Members' Interests and published on the website.

Declarations of Interest at Board Meetings

- 10.4 It is the responsibility of Board members to declare any disclosable pecuniary interest (as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) and any other personal interests whether financial or non-financial in specific agenda items at the start of each Housing and Infrastructure Board meeting.

11. Urgent decisions between meetings

- 11.1 This procedure is to be used only by exception
- 11.2 When an urgent matter or decision falls outside the parameters of the meeting cycle, the Housing and Infrastructure Board will be permitted to make decisions through this procedure. If the matter is a Key Decision the procedure in Part 5B (Access to Information Procedure Rules) of the Constitution also needs to be complied with.

11.3 The Head of Paid Service (or their nominated representative), in consultation with the Chairs of the Housing and Infrastructure Board, will contact Board Members by email to notify them of the following:

- Details of the matter requiring comment and/or decision;
- The name of the person or persons making or putting forward the proposal/decision
- The reason why the matter cannot wait until the next Board; and
- The date responses are required by.

Two working days after the close of responses, the following will be circulated to all Board Members:

- The outcome of the decision taken noting that for a decision to be agreed the unanimous agreement of all those Board Members that respond by the date set for responses is needed;
- The date when any decision comes into effect; and
- Any mitigating action taken to address stated views or concerns.

11.4 Decisions and actions taken will be retrospectively reported to the next meeting of the Housing and Infrastructure Board and MCA in accordance with paragraph 9.2 above.

12. Advisory Groups

12.1 The Joint Assets Board will be an advisory board to the Housing and Infrastructure Board. The Housing and Infrastructure Board will approve changes to the Boards terms of reference and will receive regular reports from the Joint Assets Board Chair.

12.2 The Housing and Infrastructure Board will be supported in making investment decisions by an independent Appraisal Panel. The Appraisal Panel will assess all applications for funding and will present their findings and recommendations to the Board on whether the application should be approved, deferred or rejected.

12.3 The Housing and Infrastructure Board is permitted to form Task and Finish groups of key stakeholders and advisors to assist in the management and monitoring of individual programmes or projects. Any such groups are purely advisory and must submit reports to the Housing and Infrastructure Board.

13. Transparency

Key Decisions

- 13.1 Key decisions to be taken by the Housing and Infrastructure Board will be published in the Forward Plan of Key Decisions on the website 28 days in advance of the decision being made.
- 13.2 Questions and comments submitted by the public on the pending decisions will be notified to the Housing and Infrastructure Board and will be responded to in writing.

Meeting Papers

- 13.3 Agendas and papers for the Housing and Infrastructure Board will be published on the website at least five clear working days before the meeting date.

Exemptions

- 13.4 Where reports or information for Board meetings is exempt from disclosure under Section 12A of the Local Government Act 1972 or the Freedom of Information Act 2000, these papers will either be reserved or specific information in the paper will be redacted.
- 13.5 Reserved papers and reports can still be requested under the Freedom of Information Act. Requests will be considered on a case by case basis (taking into consideration such factors as timing, any applicable exemptions and the public interest test).

Meeting Record

- 13.6 Draft minutes will be published on the website within ten clear working days of the Housing and Infrastructure Board meeting taking place. The meeting record (approved minutes) will be published on the website within ten clear working days of the subsequent Housing and Infrastructure Board meeting.

14. Amendments to Terms of Reference

- 14.1 These Terms of Reference will be reviewed annually. Any changes will be approved by the MCA and LEP.

APPENDIX 3

**TERMS OF REFERENCE FOR THE EDUCATION, SKILLS AND EMPLOYABILITY
BOARD**

Education, Skills and Employability Board

Terms of Reference



1. Purpose and Role

1.1 The purpose of the Education, Skills and Employability Board is to provide leadership, the development of policy and the delivery of activity aligned to the priorities of the Strategic Economic Plan, the Recovery Action Plan and other approved strategies associated with education, skills and employability.

1.2 The role of the Education, Skills and Employability Board is to:

- Shape future policy development and priorities on issues related to education, skills and employment
- Develop new education, skills and employment programmes
- Make investment decisions up to £2 million within the agreed budget and policy on education, skills and employment, as delegated by the Mayoral Combined Authority (MCA)
- Accept grants with a value of less than £2 million
- Monitor programme delivery and performance on skills and employment.
- Act as the Programme Board for Adult Education Budget delivery

2. Responsibilities

2.1 The Education, Skills and Employability Board is responsible for:

Funding

- Approving, deferring or rejecting funding applications for education, skills and employment projects that fall within the financial limit of delegated authority, and which are within the education, skills and employment budgets agreed by the MCA and, where appropriate, Local Enterprise Partnership (LEP);
- Making recommendations to the MCA to approve, defer or reject funding applications for education, skills and employment projects that exceed the financial limit of delegated authority, and which are within the education, skills and employment budget; and
- Making recommendations to approve, defer or reject funding applications for education, skills and employment projects to form part of the project pipeline where relevant.
- Commissioning Adult Education provision and allocating funding to grant funded providers, monitoring performance

Strategy and Policy

- Ensuring that education, skills and employment policies developed by the Board and agreed by the MCA and LEP are enacted effectively through appropriate investments including provision funded through the Adult Education Budget

- Reviewing economic intelligence and evidence of economic performance on skills and employment (e.g. qualification levels, attainment, unemployment) and identifying propositions to accelerate growth
- Developing and managing relationships with key stakeholders and partners

Programme Delivery

- Commissioning of activity to deliver and implement priorities on education, skills and employment
- Monitoring education, skills and employment programme and project delivery including provision funded by the Adult Education Budget.

Performance and Risk Management

- Reviewing project performance, outputs and outcomes
- Identifying and recommending mitigations for any programme risks or poor performance
- Escalating any strategic, policy or programme risks to the MCA and LEP Boards

3. Delegated Authority

- 3.1 In order to enact its responsibilities, the Education, Skills and Employability Board will have delegated authority from the MCA to approve investment decisions for agreed pipeline projects up to £2 million.
- 3.2 The Education, Skills and Employability Board will have delegated authority to accept grants with a value of less than £2 million.
- 3.3 The Education, Skills and Employability Board will have delegated authority to accept a tender or quotation for the supply of good, materials or services for which financial provision has been made in the Authority's Revenue Budget up to a limit of £200,000.00 in value for any one transaction.
- 3.4 The Education, Skills and Employability Board may refer a matter or decision within their delegated authority to the MCA or LEP.

4. Membership

- 4.1 The Education, Skills and Employability Board will be co-chaired by the MCA portfolio lead for education, skills and employability and a private sector LEP Board member.

4.2 Membership of the Education, Skills and Employability Board will comprise:

- One Leader, who is the portfolio lead, from an MCA constituent Local Authority who will co-Chair the Board
- A nominated representative for each of the constituent Local Authorities
- A lead Chief Executive from a constituent Local Authority
- Two private sector LEP Board members, one of whom will co-Chair the Board
- The MCA Head of Paid Service (or their nominated representative)

4.3 Elected members can nominate a deputy to attend meetings of the Board in their absence. All deputies must be named, elected members and must complete a Register of Interests Form.

4.4 Each of the non-constituent Local Authorities can nominate an elected member to attend and participate in the meetings but not vote.

5. Frequency

5.1 The Education, Skills and Employability Board will meet on an eight-weekly cycle.

6. Secretariat

6.1 The Sheffield City Region Executive Team will provide the secretariat for the Education, Skills and Employability Board.

6.2 Papers and presentations for Board meetings will be circulated to Board members five clear working days in advance of the meeting.

7. Attendance

7.1 Consistent attendance at the Education, Skills and Employability Board meetings is essential, and attendance will be recorded.

8. Quorum

8.1 Meetings of the Education, Skills and Employability Board will be quorate when five members are present and provided that there are at least 2 constituent Local Authority elected member representatives and one LEP member present. A member who is obliged to withdraw under the Code of Conduct for Members shall not be counted towards the quorum.

- 8.2 A Board member may be counted in the quorum if they are able to participate in the meeting by remote means e.g. telephone, video or electronic link and remain available for the discussion and decision items on the agenda.

9. Decision Making

- 9.1 Board decisions are legally taken by the Head of Paid Service (or their nominated representative) in consultation with the co-Chairs of the Board. By protocol, decisions will not be taken unless there is Board consensus for the decision. Where consensus cannot be reached the issue will be escalated to the MCA and/or the LEP as appropriate for final decision.
- 9.2 Decisions made by the Education, Skills and Employability Board will be presented to the MCA Board in a written Delegated Decisions Report at the next meeting. As the delegating body, the MCA will have the right to review or amend decisions made by the Education, Skills and Employability Board where such decision has not been acted upon subject to giving due reason for doing so.

10. Conflicts of Interest

Register of Interests

- 10.1 All Board Members and deputies must complete a Register of Interests Form within 28 days of being appointed to the Education, Skills and Employability Board. This must disclose any disclosable pecuniary interests (as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) for the Member, their spouse, their civil partner or partner. Completed Register of Interests Forms for all Board Members are published on the website.
- 10.2 It is the responsibility of every Education, Skills and Employability Board Member to ensure that their Register of Interests Form is up-to-date and declare any new interests within 28 days of this being known.
- 10.3 Interests declared by Education, Skills and Employability Board Members will be listed on the Register of Members' Interests and published on the website.

Declarations of Interest at Board Meetings

- 10.4 It is the responsibility of Board members to declare any disclosable pecuniary interests (as defined in The Relevant Authorities (Disclosable

Pecuniary Interests) Regulations 2012) and any other personal interests whether financial or non-financial in specific agenda items at the start of each Education, Skills and Employability Board meeting.

11. Urgent decisions between meetings

- 11.1 This procedure is to be used only by exception.
- 11.2 When an urgent matter or decision falls outside the parameters of the meeting cycle, the Education, Skills and Employability Board will be permitted to make decisions through this procedure. If the matter is a Key Decision the procedure in Part 5B (Access to Information Procedure Rules) of the Constitution also needs to be complied with.
- 11.3 The Head of Paid Service (or their nominated representative), in consultation with the Chairs of the Education, Skills and Employability Board, will contact Board Members by email to notify them of the following:
- Details of the matter requiring comment and/or decision;
 - The name of the person or persons making or putting forward the proposal/decision
 - The reason why the matter cannot wait until the next Board; and
 - The date responses are required by.

Two working days after the close of responses, the following will be circulated to all Board Members:

- The outcome of the decision taken noting that for a decision to be agreed the unanimous agreement of all those Board Members that respond by the date set for responses is needed;
 - The date when any decision comes into effect; and
 - Any mitigating action taken to address stated views or concerns.
- 11.4 Decisions and actions taken will be retrospectively reported to the next meeting of the Education, Skills and Employability Board and MCA in accordance with paragraph 9.2 above.

12. Advisory Groups

- 12.1 The Skills Advisory Network Board will be an advisory board to the Education, Skills and Employment Board. The Education, Skills and Employment will approve changes to the advisory board terms of

reference and will receive regular reports from the Skills Advisory Network Board Chair.

- 12.2 The Education, Skills and Employability Board will be supported in making investment decisions an independent Appraisal Panel. The Appraisal Panel will assess all applications for funding and will present their findings and recommendations to the Board on whether the application should be approved, deferred or rejected.
- 12.3 The Education, Skills and Employability Board is permitted to form Task and Finish groups of key stakeholders and advisors to assist in the management and monitoring of individual programmes or projects. Any such groups are purely advisory and must submit reports to the Education, Skills and Employability Board.

13. Transparency

Key Decisions

- 13.1 Key decisions to be taken by the Education, Skills and Employability Board will be published in the Forward Plan of Key Decisions on the website 28 days in advance of the decision being made.
- 13.2 Questions and comments submitted by the public on the pending decisions will be notified to the Education, Skills and Employability Board and will be responded to in writing.

Meeting Papers

- 13.3 Agendas and papers for the Education, Skills and Employability Board will be published on the website at least five clear working days before the meeting date.

Exemptions

- 13.4 Where reports or information for Board meetings is exempt from disclosure under Section 12A of the Local Government Act 1972 or the Freedom of Information Act 2000, these papers will either be reserved or specific information in the paper will be redacted.
- 13.5 Reserved papers and reports can still be requested under the Freedom of Information Act. Requests will be considered on a case by case basis (taking into consideration such factors as timing, any applicable exemptions and the public interest test).

Meeting Record

- 13.6 Draft minutes will be published on the website within ten clear working days of the Education, Skills and Employability Board meeting taking place. The meeting record (approved minutes) will be published on the website within ten clear working days of the subsequent Education, Skills and Employability Board meeting.

14. Amendments to Terms of Reference

- 14.1 These Terms of Reference will be reviewed annually. Any changes will be approved by the MCA and LEP.

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APPENDIX 4

**TERMS OF REFERENCES FOR THE TRANSPORT AND
ENVIRONMENT BOARD**

Transport and Environment Board

Terms of Reference



1. Purpose and Role

- 1.1 The purpose of the Transport and Environment Board is to provide leadership, development of policy and the delivery of a programme of activity aligned to the priorities of the Strategic Economic Plan and the Recovery Action Plan and other approved strategies associated with transport and the environment as well as to provide direction for and oversee the performance of South Yorkshire Passenger Transport Executive (SYPTE).
- 1.2 The role of the Transport and Environment Board is to:
- Oversee the implementation of the Transport Strategy
 - Lead the implementation of the Climate Emergency Response Framework
 - Shape future policy development and priorities on issues related to transport and the environment
 - Develop new transport programmes and environmental programmes
 - Make investment decisions within the agreed budget and policy on transport, as delegated by the Mayoral Combined Authority (MCA)
 - Accept grants with a value of less than £2 million
 - Monitor programme delivery and performance on transport and on the environment
 - Oversee the performance of SYPTE in delivering operational transport services and its capital programme and providing SYPTE with political direction.

2. Responsibilities

- 2.1 The Transport and Environment Board is responsible for:

Funding

- Approving, deferring or rejecting funding applications for transport and environmental projects that fall within the financial limit of delegated authority, and which are within the budgets agreed by the MCA and, where appropriate, Local Enterprise Partnership (LEP)
- Making recommendations to the MCA to approve, defer or reject applications for projects that exceed the financial limit of delegated authority, and which are within the transport and environment budgets
- Making recommendations to the LEP to approve, defer or reject applications for transport and environment projects to form a project pipeline where relevant
- Recommending for approval to the MCA the capital programme of SYPTE
- Recommending for approval to the MCA the revenue budget of SYPTE

Strategy and Policy

- Ensuring that transport and environment policies developed by the Board and agreed by the MCA and LEP are enacted effectively through appropriate investments and by SYPTTE
- Reviewing economic intelligence and evidence of regional economic performance on transport and on environmental issues
- Developing and managing relationships with key stakeholders and partners

Programme Delivery

- Commissioning of activity to deliver and implement transport and the environmental priorities
- Monitoring the transport capital programme and project delivery.

Performance and Risk Management

- Reviewing project performance, outputs and outcomes
- Identifying and recommending mitigations for any programme risks or poor performance
- Escalating any strategic, policy or programme risks to the MCA and LEP Boards

22 The Transport and Environment Board will be consulted on commercial and residential development projects which incorporate link roads or junction improvements and on developments that promote low carbon and biodiversity net gain requirements (in the context of Modern Methods of Construction) however, decisions on such projects will be taken by the Housing and Infrastructure Board.

3. Delegated Authority

31 In order to enact its responsibilities, the Transport and Environment Board will have delegated authority from the MCA to approve investment decisions for agreed pipeline projects up to £2 million.

32 The Transport and Environment Board will have delegated authority to accept grants with a value of less than £2 million.

33 The Transport and Environment Board may refer a matter or decision within their delegated authority to the MCA or LEP.

- 34 The Transport and Environment Board will have delegated authority to accept a tender or quotation for the supply of goods, materials or services for which financial provision has been made in the Authority's Revenue Budget up to a limit of £200,000.00 in value for any one transaction.
- 35 The Transport and Environment Board has delegated responsibility for the specific transport functions of the MCA listed in Annex 1.

4. Membership

- 41 The Transport and Environment Board will be co-Chaired by the MCA portfolio lead for Transport and the Environment and a private sector LEP Board member.
- 42 Membership of the Transport and Environment Board will comprise:
- One Leader, who is portfolio lead, from a constituent Local Authority who will co-Chair the Board
 - A nominated elected member representative for each of the constituent Local Authorities
 - A lead Chief Executive from a Local Authority
 - Two private sector LEP Board members, one of whom will co-Chair the Board;
 - The Director General of the SYPTE
 - The SCR MCA Head of Paid Service (or their nominated representative)
- 43 Elected Members can nominate a deputy to attend meetings of the Board in their absence. All deputies must be named, elected members and must complete a Register of Interests Form.
- 44 Each of the non-constituent Local Authorities can nominate an elected member to attend and participate in the meetings but not vote.

5. Frequency

- 51 The Transport and Environment Board will meet at least on an eight-weekly cycle.

6. Secretariat

- 61 The Sheffield City Region Executive Team will provide the secretariat for the Transport and Environment Board.
- 62 Papers and presentations for Board meetings will be circulated to Board members five clear working days in advance of the meeting.

7. Attendance

- 7.1 Consistent attendance at the Transport and Environment Board meetings is essential, and attendance will be recorded.

8. Quorum

- 8.1 Meetings of the Transport and Environment Board will be quorate when six members are present and provided that there are at least 2 constituent Local Authority elected member representatives and one LEP member present. A member who is obliged to withdraw under the Code of Conduct for Members shall not be counted towards the quorum.
- 8.2 A Board member may be counted in the quorum if they are able to participate in the meeting by remote means e.g. telephone, video or electronic link and remain available for the discussion and decision items on the agenda.

9. Decision Making

- 9.1 Board decisions are legally taken as follows:
- i. Matters at the Board relating to the functions of the MCA, by the Head of Paid Service (or their nominated representative) in consultation with the co-Chairs
 - ii. Matters at the Board relating to the functions of SYPTE, the Director General of SYPTE.

By protocol, decisions will not be taken in accordance with i above unless there is Board consensus for the decision. Where consensus cannot be reached the issue will be escalated to the MCA and/or the LEP as appropriate for final decision.

- 9.2 Decisions made by the Transport and Environment Board will be presented to the MCA Board in a written Delegated Decisions Report at the next meeting. As the delegating body, the MCA will, for decisions taken under 9.1(i) above, have the right to review or amend decisions made by the Transport and Environment Board where such decision has not been acted upon subject to giving due reason for doing so.

10. Conflicts of Interest

Register of Interests

- 10.1 All Board Members and deputies must complete a Register of Interests Form within 28 days of being appointed to the Transport and Environment Board. This must disclose any disclosable pecuniary interests (as defined in The Relevant Authorities (Disclosable

Pecuniary Interests) Regulations 2012) for the Member, their spouse, their civil partner or partner. Completed Register of Interests Forms for all Board Members are published on the SCR website.

- 102 It is the responsibility of every Transport and Environment Board Member to ensure that their Register of Interests Form is up-to-date and declare any new interests within 28 days of this being known.
- 103 Interests declared by Transport and Environment Board Members will be listed on the Register of Members' Interests and published on the website.

Declarations of Interest at Board Meetings

- 104 It is the responsibility of Board members to declare any disclosable pecuniary interest (as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) and any other personal interests whether financial or non-financial in specific agenda items at the start of each Transport and Environment Board meeting.

11. Urgent decisions between meetings

- 11.1 This procedure is to be used only by exception.
- 11.2 When an urgent matter or decision falls outside the parameters of the meeting cycle, the Transport and Environment Board will be permitted to make decisions through this procedure. If the matter is a Key Decision the procedure in Part 5B (Access to Information Procedure Rules) of the Constitution also needs to be complied with.
- 11.3 The Head of Paid Service (or their nominated representative), in consultation with the Chair of the Transport and Environment Board, will contact Board Members by email to notify them of the following:
- Details of the matter requiring comment and/or decision;
 - The name of the person or persons making or putting forward the proposal/decision;
 - The reason why the matter cannot wait until the next Board; and
 - The date responses are required by.

Two working days after the close of responses, the following will be circulated to all Board Members:

- The outcome of the decision taken (including responses received in agreement and responses received in disagreement);

- The date when any decision comes into effect; and
- Any mitigating action taken to address stated views or concerns.

114 Decisions and actions taken will be retrospectively reported to the next meeting of the Transport and Environment Board and MCA in accordance with paragraph 9.2 above.

12. Advisory Groups

121 The Transport and Environment Board will be supported in making investment decisions by an independent Appraisal Panel. The Appraisal Panel will assess all applications for funding and will present their findings and recommendations to the Board on whether the application should be approved, deferred or rejected.

122 The Transport and Environment Board is permitted to form Task and Finish groups of key stakeholders and advisors to assist in the management and monitoring of individual programmes or projects. Any such groups are purely advisory and must submit reports to the Transport and Environment Board.

13. Transparency

Key Decisions

131 Key decisions to be taken by the Transport and Environment Board will be published in the Forward Plan of Key Decisions on the website 28 days in advance of the decision being made.

132 Questions and comments submitted by the public on the pending decisions will be notified to the Transport and Environment Board and will be responded to in writing.

Meeting Papers

133 Agendas and papers for the Transport and Environment Board will be published on the website at least five clear working days before the meeting date.

Exemptions

134 Where reports or information for Board meetings is exempt from disclosure under Section 12A of the Local Government Act 1972 or the Freedom of Information Act 2000, these papers will either be reserved or specific information in the paper will be redacted.

- 135 Reserved papers and reports can still be requested under the Freedom of Information Act. Requests will be considered on a case by case basis (taking into consideration such factors as timing, any applicable exemptions and the public interest test).

Meeting Record

- 136 Draft minutes will be published on the website within ten clear working days of the Transport and Environment Board meeting taking place. The meeting record (approved minutes) will be published on the website within ten clear working days of the subsequent Transport and Environment Board meeting.

14. Amendments to Terms of Reference

- 14.1 These Terms of Reference will be reviewed annually. Any changes will be approved by the MCA and LEP.

Annex 1 – Specific Transport Functions of the MCA

1. Granting approval to SYPTTE to promote or oppose any Bill in Parliament pursuant to section 10(1)(xxix), Transport Act 1968;
2. Making a written request to the Minister to authorise SYPTTE to purchase compulsorily any land which SYPTTE require for the purposes of their business pursuant to section 10(3), Transport Act 1968;
3. Approving the permanent or long term disposal of land not required by SYPTTE for operational purposes.
4. Making appointments to the Board of SYPTTE;
5. Formulating general policies with respect to the availability and convenience of public passenger services pursuant to sections 9A(5)- (7), Transport Act 1968;
6. Ensuring that SYPTTE secures the provision of appropriate public passenger transport services pursuant to Section 9A (3), Transport Act 1968;
7. Considering and approving the creation and development of:-
 - A. Quality Partnership Schemes or Advanced Quality Partnership Scheme pursuant to sections 113(c)-123, Transport Act 2000;
 - B. Concessionary Travel Schemes pursuant to sections 93-104, Transport Act 1985;
8. Ensuring that SYPTTE implements those actions which may be delegated to it from time to time for promoting the economic, social and environmental well-being of the Combined Area and its residents pursuant to section 99, Local Transport Act 2008;
9. Approving releases for capital schemes within the agreed capital programme and the agreed budget for the scheme concerned (including approving capital payments for the purpose of the provision, improvement or development of facilities for public passenger transport, pursuant to section 56(2), Transport Act 1968);
10. Determining variations in charges for transport services or facilities provided by SYPTTE, pursuant to section 15(2), Transport Act 1968;
11. Approving the level of support of local rail services over and above that in the baseline franchise specification;
12. Determining the operation, performance and development of accessible transport provision pursuant to sections 106(1) and 106(2), Transport Act 1985;
13. Monitoring the operation and performance of bus, tram and local rail services and influencing accordingly;
14. Determining issues arising from the rail franchising process.

21st September 2020

Decisions & Delegated Authority Report

Purpose of Report

This paper updates the Mayoral Combined Authority on

- Decisions and delegations made by the MCA
- Decisions and delegations made by Thematic Boards

Thematic Priority

All.

Freedom of Information and Schedule 12A of the Local Government Act 1972

Under the Freedom of Information Act this paper and any appendices will be made available under the Combined Authority Publication Scheme.

Recommendations

Members are asked to note the decisions and delegations made.

Appendix A provides details of the delegations agreed by the MCA, which are in addition to those made under the Scheme of Delegation.

Appendix B provides details of decisions taken under the delegation made to Thematic Boards and the subsequent delegations made to officers where appropriate. In accordance with Combined Authority's Constitution/Terms of Reference for the Board, Board decisions have been ratified by the Head of Paid Services (or their nominee) in consultation with the Chair of the Board.

| | |
|----------------------|---|
| Report Author | Claire James |
| Post | Senior Governance and Compliance Manager |
| Officer responsible | Stephen Batey |
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Background papers used in the preparation of this report are available for inspection at: 11 Broad Street West, Sheffield S1 2BQ

Other sources and references: n/a

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| UI | Decision Maker | Date of delegation | Decision | Delegation | Delegated to | Financial value | Update | Status |
|------|----------------|--------------------|--|---|---|---|--|--------|
| 038 | MCA | 17th July 2017 | Devolution - Early Intervention Pilot Acceptance | Acceptance of grant offer on behalf of the Authority, after considering acceptable all the terms and conditions imposed by the grant awarding body. | Finance Director | Not stated | The Pilot is currently on pause so we haven't formally accepted any grant. | Active |
| 043 | MCA | 30th October 2017 | One Public Estate and Land Release Fund | Sign off of any final bid document and approve the operationalising of the bid subject to it being success, including contracting with third parties. | Sign Off - Head of Paid Service and S73 Officer Bid - Head of Paid Service | £681k minimum (OPE) and £450k (LRF) minimum | Bid submitted. Funds received. Contracts being developed for individual projects. 2 project now in contract, 3 projects in contracting progress. | Active |
| 055a | MCA | 17th December 2018 | LGF Programme - Capital Programme Progression of Gulliver's Valley to full approval and award of £1.5m (£0.4m grant and £1.1m loan) to Gulliver's Valley (Weavers Close Ltd) subject to the conditions set out in the Appraisal Panel Summary | Enter into the contractual arrangements required | Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer | £1.5m (£0.4m grant and £1.1m loan) | Update May 2020 - Agreement by S73 Officer to extend loan repayment term | Active |
| 055c | MCA | 17th December 2018 | LGF Programme - Capital Programme Progression of Yorkshire Wildlife Park to full approval and award of £5m loan to Wild Life Group Ltd. subject to the conditions set out in the Appraisal Panel Summary | Enter into the contractual arrangements required | Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer | £5m loan | Update May 2020 - Agreement by S73 Officer to extend loan repayment term by 1 year to 2025. | Active |
| 056 | MCA | 17th December 2018 | LGF Investment Approval The increase in the Housing Fund allocation held in the SCR Property Intervention Holding Company by up to £15m subject to conditions | Enter into contractual arrangements | Head of Paid Service, in conjunction with the Section 73 Officer | £15m | Increased allocation not yet applied and now unlikely. | Active |
| 060a | MCA | 28th January 2019 | LGF Programme - Capital Programme Progression of Doncaster Sheffield Airport Passenger Capacity Expansion Car Park to full approval and award of £3.5m loan to Doncaster Sheffield Airport Limited subject to the conditions set out in the Appraisal Panel Summary | Enter into the contractual arrangements required | Head of Paid Service and Section 73 Officer in conjunction with the Monitoring Officer | £3.5m loan | Update May 2020 - Agreement by S73 Officer to extend loan repayment term | Active |
| 060b | MCA | 3rd June 2019 | LGF Investment Approval Progression of UK Atomic energy project to full approval and award of up to £2.2m grant to UK Atomic Energy Authority subject to the conditions set out in the Appraisal Panel Summary Table | Enter into the contractual arrangements required | Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer | £2.2m | Funding agreement Signed. All conditions satisfied | Active |
| 105 | MCA | 27th January 2020 | Contract Award - BSW Provision of Cleaning Services the award of an up to 4 year contract (3 years plus 1 year extension) in excess of £100,000 for the Provision of Cleaning Services at Sheffield City Region Offices. | Approve the award | Head of Paid Service | excess of £100,000 | Contract in Development. Start dated delayed due to Covid-19. | Active |
| 107 | MCA | 1st June 2020 | Treasury Management Strategy 2020/21 - to provide a financial guarantee in favour of the SCR Financial Interventions Holding Company. | Provide a financial guarantee in favour of the SCR Financial Interventions Holding Company. | Group Director of Finance in consultation with Chief Executive | N/a | In progress | Active |
| 109 | MCA | 1st June 2020 | LGF Investment Approval - Approves a project change request from the DN7 Unity project to re-profile £751,800 of expenditure from 2019/20 into 2020/21, to agree an extension to works completion from August 2020 to December 2020 and re-profile of outputs and outcomes in accordance with the revised timescales | Enter into legal agreements | Head of Paid of Service, in consultation with the Section 73 Officer and Monitoring Officer | re-profile £751,800 | In progress | Active |
| 110 | MCA | 1st June 2020 | LGF Investment Approval - Approves a project change request from the Digital Media Centre 2 to re-profile £106,596 of expenditure from 2019/20 into 2020/21, to agree an extension to works completion from March 2020 to June 2020 and a re-profile of outputs and outcomes in accordance with the revised timescales | Enter into legal agreements | Head of Paid of Service, in consultation with the Section 73 Officer and Monitoring Officer | re-profile £106,596 | In progress | Active |
| 111 | MCA | 1st June 2020 | LGF Investment Approval - Approves a project change request from the Strategic Testing Tools project to re-profile £190,196 of expenditure from 2019/20 into 2020/21. | Enter into legal agreements | Head of Paid of Service, in consultation with the Section 73 Officer and Monitoring Officer | re-profile £190,196 | In progress | Active |

| UI | Decision Maker | Date of delegation | Decision | Delegation | Delegated to | Financial value | Update | Status |
|-----|----------------|--------------------|--|---|---|---|-------------|--------|
| 112 | MCA | 1st June 2020 | LGF Investment Approval - Approves a project change request from M1 J36 Phase 1 Hoyland to re-profile £2,621,858 of expenditure from 2019/20 into 2020/21, agree a reduction in the total grant value of £610,009 and a revision of outputs and outcomes in accordance with the revised reprofile | Enter into legal agreements | Head of Paid of Service, in consultation with the Section 73 Officer and Monitoring Officer | re-profile £2,621,858, reduction in the total grant value of £610,009 | In progress | Active |
| 114 | MCA | 1st June 2020 | LGF Investment Approval - Approves a project change request for the Doncaster Sheffield Airport Car Park Extension Loan to extend the works completion date from April 2020 to January 2021. | Enter into legal agreements | Head of Paid of Service, in consultation with the Section 73 Officer and Monitoring Officer | n/a | In progress | Active |
| 115 | MCA | 1st June 2020 | SCR Assurance Framework | Approve final changes required by Government and sign-off the SCR Assurance Framework | SCR Chief Executive in consultation with the Mayor | n/a | In progress | Active |
| 122 | MCA | 27th July 2020 | Delegates authority to the S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer to accept the Working win extension funding of £500,000 subject to their acceptance of the terms of the agreements when these are received | Acceptance of grant offer on behalf of the Authority, after considering acceptable all the terms and conditions imposed by the grant awarding body. | S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer | £500,000 grant | In progress | Active |
| 123 | MCA | 27th July 2020 | LGF Capital Programme Approvals - Delegates authority to the Head of Paid Service in consultation with the S73 and Monitoring Officer to enter into legal agreements for the progression of Greasbrough Road Improvements to full approval and award of £2.45m grant to Rotherham Metropolitan Borough Council | Enter into legal agreements | Head of Paid Service in consultation with the S73 and Monitoring Officer | £2.45m grant | In progress | Active |
| 124 | MCA | 27th July 2020 | Delegates authority to the S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer to accept the grants of £33.6m Getting Building Fund | Acceptance of grant offer on behalf of the Authority, after considering acceptable all the terms and conditions imposed by the grant awarding body. | S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer | £33.6m grant | In progress | Active |
| 125 | MCA | 27th July 2020 | Delegates authority to the S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer to accept the grants of £40m Brownfield Fund | Acceptance of grant offer on behalf of the Authority, after considering acceptable all the terms and conditions imposed by the grant awarding body. | S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer | £40m grant | In progress | Active |
| 126 | MCA | 27th July 2020 | Delegates authority to the S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer to accept the Emergency Active Travel Fund Phase 2 | Acceptance of grant offer on behalf of the Authority, after considering acceptable all the terms and conditions imposed by the grant awarding body. | S73 Officer in conjunction with the Head of Paid Service and Monitoring Officer | upto £7.939m | In progress | Active |
| 127 | MCA | 27th July 2020 | Delegated authority to be given to the Head of Paid Service in consultation with the s73 and Monitoring Officer to enter into legal agreements with the four Local Authorities for their respective schemes for Phase 2 schemes. | Enter into legal agreements with the four Local Authorities for their respective schemes for Phase 2 schemes. | Head of Paid Service in consultation with the s73 and Monitoring Officer | upto £7.939m | In progress | Active |

| UI | Decision Maker | Date of delegation | Decision | Delegation | Delegated to | Financial value | Update | Status |
|------|---------------------------|--------------------|---|---|--|--|---|--------|
| 075 | Business Board | 17th July 2019 | LGF Investment Approval Award of £100,000 grant to Company 101 subject to the conditions set out in the Appraisal Panel Summary | Enter into legal agreements | Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer | £100,000 | Funding agreement Signed Pre-agreement conditions satisfied All Pre-Drawdown conditions outstanding | Active |
| 079 | Skills & Employment Board | 6th August 2019 | The progression of 'From teenagers to employee – A Sheffield City Region, engineering and advanced manufacturing talent pipeline creator' project to full approval and award up to £0.495m grant to Sheffield UTC Sheffield subject to the conditions set out in the Appraisal Panel Summary subject to the value for money calculation being re-run with the omission of adult learners and that safeguarding protocols are in place for adult learning only to take place at evenings and weekends with the majority of equipment time prioritised for learners aged 13-19. | Enter into the contractual arrangements required | Head of Paid Service, in conjunction with the Section 73 and the Monitoring Officer | £0.495m | All pre-conditions met. Draft contract being prepared. Change request submitted 08/01/20, which is delaying signing of contract. Contract executed and first claim submitted/paid. Indication of slight delay to installation of equipment due to Covid-19, but will still be installed well in advance of new academic year. However, delays in recruitment of learners due to ongoing situation. | Active |
| 080 | Business Board | 28th August 2019 | Progression of Project 0098 to full approval and award of £619,000 subject to the agreed conditions | Enter into the contractual arrangements required | Head of Paid Service, in conjunction with the Monitoring and Section 73 Officers | £619,000 | Contract in Development. Approval conditions being progressed | Active |
| 083 | Business Board | 23rd October 2019 | LGF Investment Approval Award of £74k grant to Company 37c subject to the conditions set out in the Appraisal Panel Summary Table | Enter into legal agreements | Head of Paid Service in consultation with the s73 and Monitoring Officer | £74k | Funding agreement signed, in delivery. Only accepted £24k of approved £74 | Active |
| 105i | Skills & Employment Board | 2nd March 2020 | LGF Investment Approval - progression of the Doncaster UTC project to full approval subject to the conditions set out in the Appraisal Panel Summary Table. | Enter into the contractual arrangements | Head of Paid Service, in conjunction with the S73 and the Monitoring Officer | £0.15m grant | In progress | Active |
| 116 | Transport Board | 12th June 2020 | Active Travel Emergency Fund Programme to Barnsley Metropolitan Borough Council. | Enter into legal agreements | Head of Paid Service on consultation with S73 Officer and the Monitoring Officer | £241,000 grant | In progress | Active |
| 117 | Transport Board | 12th June 2020 | Active Travel Emergency Fund Programme to Rotherham Metropolitan Borough Council. | Enter into legal agreements | Head of Paid Service on consultation with S73 Officer and the Monitoring Officer | £265,000 grant | In progress | Active |
| 118 | Transport Board | 12th June 2020 | Active Travel Emergency Fund Programme grant to Doncaster Metropolitan Borough Council. | Enter into legal agreements | Head of Paid Service on consultation with S73 Officer and the Monitoring Officer | £311,000 grant | In progress | Active |
| 119 | Transport Board | 12th June 2020 | Active Travel Emergency Fund Programme to Sheffield City Council. | Enter into legal agreements | Head of Paid Service on consultation with S73 Officer and the Monitoring Officer | £584,000 grant | In progress | Active |
| 120 | Transport Board | 3rd July 2020 | Release of scheme costs to 4 local authorities and SYPTE to deliver a series of active travel and public transport schemes. | Enter into legal agreements | Head of Paid Service on consultation with S73 Officer and the Monitoring Officer | 28 schemes of values between £8k and £335k, totalling £2.94m | In progress | Active |
| 129 | Business Board | 2nd September 2020 | Delegated Authority to the Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer, to enter into the contractual arrangements required to opt into the Peer to Peer Scheme with approval to accept associated grant value. | Delegated Authority to the Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer, to enter into the contractual arrangements | Head of Paid Service in consultation with the s73 and Monitoring Officer | £90k | In Progress | Active |
| 130 | Business Board | 2nd September 2020 | Delegated Authority to the Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer, to enter into the contractual arrangements to accept the additional grant funding from BEIS Growth Hub Uplift Funding | Delegated Authority to the Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer, to enter into the contractual arrangements | Head of Paid Service in consultation with the s73 and Monitoring Officer | £290,000 | In Progress | Active |
| 131 | Business Board | 2nd September 2020 | Delegated authority be given to the Head of Paid Service in consultation with the s73 and Monitoring Officer to enter into legal agreements for Project 'Metlase Core Digital Products Architecture' to full approval and award of £400,000 grant from the Local Growth Fund | Delegated Authority to the Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer, to enter into the contractual arrangements | Head of Paid Service in consultation with the s73 and Monitoring Officer | £400,000 | In Progress | Active |

| UI | Decision Maker | Date of delegation | Decision | Delegation | Delegated to | Financial value | Update | Status |
|-----|----------------|--------------------|--|---|--|-----------------|-------------|--------|
| 132 | Business Board | 2nd September 2020 | Delegated authority be given to the Head of Paid Service in consultation with the s73 and Monitoring Officer to enter into legal agreements for Project 'SBD Expansion' to full approval and award of £1.5m grant from the Local Growth Fund | Delegated Authority to the Head of Paid of Service, in conjunction with the Section 73 and the Monitoring Officer, to enter into the contractual arrangements | Head of Paid Service in consultation with the s73 and Monitoring Officer | £1.5m | In Progress | Active |