

Towns Fund Governance Document Phase 2 and Phase 3

1. Purpose of Document

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

2. Context

- 2.1 Governance is provided to this programme through the Towns Fund Superboard, three Local Boards, and the Council as the Accountable Body.
- 2.2 In accordance with the Towns Fund Guidance published June 2020 and December 2021 the Sandwell Superboard will be classed as the *Town Deal Board*.
- 2.3 The three Local Boards (Rowley Regis, Smethwick and West Bromwich) are constituted as working groups of the Superboard and have a remit to influence the Towns Fund Programme and to form part of the assurance mechanisms to ensure that project delivery remains in keeping with the Vision and objectives outlined in the Town Investment Plan.
- 2.4 Over the forthcoming months, the work of the Local Boards will involve considering options around the projects and the development of consultation and engagement plans, ahead of these being recommended to the Superboard.
- 2.5 MHCLG guidance outlines the following responsibilities for the Town Deal Board: -

2.5.1 Over Phase 2 of the Programme (development of full business cases) - the Town Deal Boards should have an ongoing role and sight of decisions, the nature and degree of which should be agreed locally and that the accountable body should make decisions in partnership and collaboration with the Town Deal Board.

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

3. Roles and Responsibilities

3.1 Superboard

3.1.1 The Superboard is responsible for: -

- Leadership/ Direction - Provide strategic direction across all of the Town Deal Areas
- Coherent Governance - Ensure a coherent approach across all of the Town Deal Areas, maximising cross town initiatives where possible
- Consistency - Ensure interventions are not competitive across the Town Deal Areas and act to build the local economy
- Alignment to Strategic Priorities - Ensure alignment of projects to Local, Regional and National strategies
- Approve the Stakeholder Engagement Approach – ensuring that communities' voices are involved in shaping design and decision making at each phase of development, and ensuring diversity in its engagement with local communities and businesses
- Support and provide a steer (as required) to the Local Town Boards
- Upholding the Seven Principles of Public Life (Nolan Principles)
- Ensure compliance with Heads of Terms Agreements
- Have sight of and be consulted over project change requests
- Agree Full Business Cases and recommend them for appraisal and approval
- Act as a critical friend throughout the programme
- Fulfil any other duties and responsibilities required of the Town Deal Board by Central Government

3.1.2 The Chair of the Superboard is responsible for:

- Upholding the Seven Principles of Public Life (Nolan Principles)
- Leading the Superboard to achieve its objectives, maintaining an overview of activity, and championing the supporting partnership working

- Ensuring that decisions are made by the Board in accordance with good governance principles
- Signing the submissions to Government on behalf of the Superboard

3.2 Local Boards

3.2.1 The Local Boards are responsible for: -

- Helping develop project business cases as required by the Superboard
- Provide views, opinions and ideas on options and proposals
- To input into and advise on proposed engagement and consultation plans to encourage and help ensure relevant, proportionate and timely engagement with stakeholders
- To champion the Towns Fund projects
- To act as a critical friend offering on the ground local knowledge and perspective
- To make recommendations / create reports detailing the views of the Local Board to Superboard and Project Leads (as required)

3.2.2 The Chairs of the Local Boards are responsible for: -

- Upholding the Seven Principles of Public Life (Nolan Principles)
- Leading the Local Boards to achieve their objectives, maintaining an overview of activity, and championing the supporting partnership working
- Reporting progress to the Superboard
- Acting as a Champion for the Towns Fund projects and the Town vision

3.3 Superboard Members and Sandwell Council Cabinet Members will have an open invite to attend Local Board Meetings and engage and contribute to the development of projects.

3.4 Sandwell Council

3.4.1 Sandwell Council is the Accountable Body for the Town Deal

3.4.2 Sandwell Council is responsible for: -

- Upholding the Seven Principles of Public Life (Nolan Principles)
- Developing a delivery team, delivery arrangements and agreements
- Ensuring that decisions made by the Superboard are in accordance with good governance principles.
- Ensuring transparency through the publication of agendas and minutes of the Superboard on CMIS
- Developing agreed projects in detail and undertaking any necessary feasibility studies
- Undertaking any required Environmental Impact Assessments or Public Sector Equality Duties

- Monitoring and evaluating the delivery of Towns Fund projects and impact
- Submitting monitoring reports, as required
- Receiving and Accounting for the Town's Funding allocation and capacity funds
- Undertake business case assurance and sign off in line with local processes (approval from SMBC Cabinet)
- Engage with the Towns Fund Superboard regarding project changes
- Proactively consult the Towns Fund Lead (MHCLG representative) on any potential changes to approved plans
- Ensure that all templates submitted to MHCLG are accurate and complete representations of current circumstances

4. Board Vacancies

- 4.1 **Superboard** - Vacancies occurring within the Superboard are for the identified organisations to make an appointment to in line with their own governance procedures.
- 4.2 **Young People's Representatives** - Vacancies occurring in young people's representation at Superboard and Local Boards will be identified and appointed to via the Sandwell Council Youth Service in consultation with the Chair of the Superboard and the relevant Local Board Chair, as appropriate.
- 4.3 **Local Board Representatives** - As working groups of the Superboard, Local Board appointments to vacancies will be agreed by Superboard. Any changes to the overall composition of the Local Boards should be made in consultation with the Leader and Cabinet Member for Inclusive Economic Growth.

5. Code of Conduct

- 5.1 All Members of the Superboard and Local Boards will sign the Councillor Code of Conduct which is based on the Seven Principles of Public Life (Nolan Principles) and contained within Article 13 of the Council's constitution.
- 5.2 Members of the Superboard and the Superboard as a whole will be required to declare and register any gifts and/or hospitality which will be maintained by the Council.

6. Decision Making – Superboard

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

6.1.1 Article 13.02 Principles:

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

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

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

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

6.5 Declarations of Interest

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

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

7. Recommendations from Local Boards

- 7.1 As working groups of the Superboard, Local Boards will not have decision-making responsibilities. Through their recommendations and reports, Local Boards will influence the programme and project direction and will therefore adopt good governance principles for the management of declarations of interest as follows: -

7.2 Declarations of Interest

- 7.2.1 Where a Local Board Member has a disclosable pecuniary interest or pecuniary interest in the business of the authority he/she must withdraw from the room or chamber where the meeting considering the business is being held unless the member has obtained a dispensation from the Council's Ethical Standards and Member Development Committee.
- 7.2.2 Where a Local Board Member is nominated as the Lead Officer for a project and/or is involved in project delivery, they may attend the Local Board discussion relating to the project in the capacity of providing and presenting information but they may not participate in any deliberations or decision by the Local Board concerning that project.
- 7.3 In the event that Local Board wishes to move to a vote, any matter will be decided upon by a simple majority of those members present in the room and eligible to vote.
- 7.4 The Chair shall have a casting vote.

8. Scrutiny

- 8.1 Scrutiny of Sandwell's Towns Fund Programme will be provided by the Council's Overview and Scrutiny Arrangements and through the critical friend challenge that will be provided by Superboard and Local Boards.

9. Transparency and Accountability

9.1 Superboard Agendas and Minutes

- 9.1.1 The Council will publish Superboard meeting agendas on CMIS 5 clear days before the meeting.
- 9.1.2 Draft minutes of the Superboard will be published within 10 clear working days; and
- 9.1.3 Approved minutes of the Superboard will be published within 10 clear working days

9.2 Member profiles

- 9.2.1 Profiles of Superboard Members will be published on CMIS.

9.3 Conflicts of Interest

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

10. Membership

10.1 Towns Fund Superboard

Representative	Organisation	Individual
Chair	Jude Thompson - President of the Black Country Chamber of Commerce	
Board Members	Federation of Small Businesses (FSP)	Karen Woolley
	Homes England Rep	Jo Nugent
	Black Country LEP	Geoff Layer
	Liberty Group – CEO Jahama Group	Dilip Awtani
	Local Board Chair – West Bromwich	Chris Hinson
	Local Board Chair – Smethwick	Alan Taylor
	Local Board Chair – Rowley Regis	Adrian Eggington
	MP (Halesowen and Rowley Regis)	James Morris
	MP (Warley)	John Spellar
	MP (West Bromwich East)	Nicola Richards
	MP (West Bromwich West)	Shaun Bailey
	Sandwell College CEO	Graham Pennington
	SCVO CEO	Mark Davis
SVCO Board Member	Geoff Foster	
SMBC Leader	Cllr Rajbir Singh	
SMBC Cabinet Member Strong and Inclusive Economy	Cllr Iqbal Padda	
Transport for West Midlands	Sandeep Shingadia	
WMCA	Gareth Bradford	
Sandwell Youth Parliament	Vacancy	
Police Representative	Keeley Bevington	
SMBC Officers (attending in advisory capacity)	SMBC CEO	David Stevens
	SMBC Executive Director, Children Services	Lesley Hagger
	SMBC Interim Director - Regeneration and Growth	Tammy Stokes
	SMBC Monitoring Officer	Surjit Tour

10.2 Local Boards

West Bromwich		
Representative	Organisation	Individuals
Chair	Chris Hinson – Sandwell Business Ambassador	
Business Community	West Bromwich BID	Lisa Hill
Voluntary and Community Sector	Multistory SCVO Kaleidoscope Albion Foundation YMCA Greets Green Community Enterprise The GAP Centre West Bromwich African Caribbean Centre	Emma Chetcuti Leona Bird Monica Shafaq Rob Lake Steve Clay Wendy Brookfield Andrew Bent Shane Ward
BME, Equality and Faith Group Representatives	Vacancy	Vacancy
Young People’s Representative	West Bromwich Resident/ Sandwell Council Apprentice	Dannielle Hawthorne
Public Sector Organisations	Sandwell College West Midlands Police WMCA Officer Level Sandwell & West Birmingham CCG	Simon Griffiths Vacancy Vacancy Andrew Lawley
Elected Members	Town Lead Member Deputy Town Lead Member	CLlr Melia CLlr E Giles / CLlr K Akpoteni
Superboard Members & Cabinet Members in attendance, as desired		

Smethwick		
Representative	Organisation	Individuals
Chair	Alan Taylor (MI Glass) – Sandwell Business Ambassador	
Business Community	Business Representative Liberty Engineering	Omar Rashid John Wood
Voluntary and Community Sector	Brasshouse Community Centre SCVO Albion Foundation Smethwick Church Action	Jennifer Harrison Leona Bird Rob Lake Gareth Brown
BME, Equality and Faith Group Representative	Guru Nanak Gurdwara	Jatinder Singh

Smethwick		
Representative	Organisation	Individuals
Young People's Representative	Vacancy	Vacancy
Public Sector Organisations	Sandwell College West Midlands Police WMCA Officer Level Sandwell & West Birmingham CCG	David Holden Sgt Joanne Parke Vacancy Andrew Lawley
Elected Members	Town Lead Member Deputy Town Lead Member	Cllr Shaeen Cllr S Gill
Superboard Members & Cabinet Members in attendance, as desired		

Rowley Regis		
Representative	Organisation	Individuals
Chair	Adrian Eggington – Black Country Housing Group	
Business Community	Business Representative/ Local Resident	Wayne Edwards
Voluntary and Community Sector	Cradley Heath Community Link Agewell Grace Mary to Lion Farm Big Local SCVO Murray Hall Community Trust Black Country Touring	Alecia Baker Deborah Harrold Helen Trueman Leona Bird Manjula Patel Matt Andrews
BME, Equality and Faith Group Representative	Cradley Heath Mosque	Mohammed Asif
Young People's Representative	Rowley Regis Resident/ SHAPE Youth Forum Member	Harvey Katarina
Public Sector Organisations	Sandwell College West Midlands Police West Midlands Police WMCA Officer Level Sandwell & West Birmingham CCG	Ann Sheridan Sgt Cheryl Reed Insp. Bel Sixsmith Vacancy Andrew Lawley
Elected Members	Town Lead Member Deputy Town Lead Member	Cllr Ashman Cllr Mabena
Superboard Members & Cabinet Members in attendance, as desired		