



## **POLICY AND RESOURCES COMMITTEE**

**Tuesday, 21 November 2023**

<b>REPORT TITLE:</b>	<b>BIRKENHEAD, WALLASEY AND NEW FERRY SIMPLIFICATION PATHFINDER PILOT BOARD</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF REGENERATION AND PLACE</b>

### **REPORT SUMMARY**

This report provides an update on the progression to establish a successor to the Town Deal Board to reflect the wider role of the Simplification Pathfinder Pilot and to build upon the positive role of the Town Deal Board to date. This is further to and a requirement of the submission of the Councils Investment Plan ancillary the DLUHC Simplification Pathfinder Pilot. The successor body would be known as the Birkenhead Wallasey and New Ferry Simplification Pathfinder Pilot Board.

The Birkenhead 2040 Framework details a comprehensive regeneration vision that will deliver 21,000 new homes and 6000 new jobs in Birkenhead over the next 20 years and will transform Birkenhead and parts of Wallasey and also New Ferry, building on Government funding support secured over the past 3 years to support infrastructure improvements and town centre intervention, creating new neighbourhoods and driving economic growth.

A Framework of this scale and the emerging Masterplans requires a joined-up approach to a number of regeneration-based activities, with a delivery plan led strategy that prioritises projects in a logical way on a business case by business case basis.

The Wirral Plan 2021 - 2026 has been developed and the focus covers the following five themes:

- Safe & Pleasant Communities
- Brighter Futures
- Active and Healthy Lives
- Sustainable Environment
- Inclusive Economy

The recommendations within this report support the delivery of all above themes.

This means that this matter more immediately affects Birkenhead and Birkenhead & Tranmere, Claughton, Bidston & St James, Seacombe and Liscard and Bromborough Wards.

This is not a Key Decision.

## **RECOMMENDATIONS**

The Policy and Resources Committee is recommended to approve the indicative Birkenhead Wallasey and New Ferry Simplification Pathfinder Pilot Board membership and terms of reference as set out in Appendix 1 to this report.

## **SUPPORTING INFORMATION**

### **1.0 REASONS FOR RECOMMENDATION**

1.1 The Council is the accountable body for funds within the Pathfinder Simplification Pilot (“the Simplification Pilot”) and all relevant decisions will be taken for approval via the Council's current democratic decision making as set out in the constitution. However, the Council is required to establish a consolidated governance structure to reflect the wider scope of the pilot and DLUHC advise participating Councils to build on the positive role of the Town Deal Boards to date. As such, the scope and membership of the Birkenhead Town Deal Board needs to be revised to reflect the wider geographical remit of the Simplification Pilot. This successor body will have no decision-making power but will exercise strategic oversight over the funds within the scope of the Simplification Pilot.

### **2.0 OTHER OPTIONS CONSIDERED**

2.1 The Council has been invited to join the Simplification Pilot and Policy and Resources Committee has already approved this approach at its meeting of 13 September 2023. Furthermore, on 4 October 2023, Policy and Resources Committee authorised the Director of Regeneration and Place to submit the accompanying Investment Plan and in accordance with an Officer Decision Note made on 27 October 2023 the Director of Regeneration and Place has submitted an Investment Plan. There are no other options but to set up an advisory Board albeit there are a myriad of different approaches that could be taken as to the membership and terms of reference. The approach set out within this report is considered to be appropriate and proportionate.

### **3.0 BACKGROUND INFORMATION**

3.1 On 13 September 2023, Policy and Resources Committee resolved to accept an invitation to participate in the DLUHC Simplification Pilot. This pilot streamlines the delivery of 3 growth funds overseen by it, namely Town Deal, Future High Streets Fund (FHSF) and the Council’s Levelling Up Round 1 (LUF1) allocation which currently deliver various regeneration programmes in Wirral up to a value of £72,443,405.

3.2 The pilot allows the council to amalgamate these funds into one large regeneration fund within a single claim process. It also revises the spend deadlines for all funds to 31 March 2026. The FHSF spend deadline was 31 March 2024 and LUF1’s deadline was 31 March 2025. The pilot has enabled increased flexibility to re-allocate money between the projects previously funded by these three funds.

3.3 The Council has submitted an Investment Plan to DLUHC. This plan details how the Council will use the funding with high-level information on the projects, as well as an aggregate set of outcomes and outputs and an annual funding forecast across set intervention themes.

3.4 The Council remains the accountable body for the Simplification Pilot, however DLUHC has outlined that, building on the positive local role of Town Deal Boards it

requires the Council to establish a consolidated governance structure which will oversee the total portfolio of projects. The successor board will have no decision-making power but will exercise strategic oversight over pilot activity. The Council has the flexibility to set out how its proposed consolidated governance will work, providing an overview of the chosen approach in the submitted Investment Plan. DLUHC is comfortable with Town Deal Boards being re-constituted or expanded into this consolidated governance and in doing so the Council is required to consider the successor Board's scope and membership to reflect any wider geographical remit.

- 3.5 DLUHC have therefore imposed a condition that a review/refresh is undertaken to the existing Town Deal Board. The review/refresh is to reflect the combination of two additional funding streams with the Town Deal funds. Current arrangements for the Town Deal Board can be found in the following link:  
<https://www.wirral.gov.uk/business/regeneration/town-deal>
- 3.6 Proposed membership and Terms of Reference for the Town Deal Board Successor to be known as the Birkenhead Wallasey and New Ferry Simplification Pathfinder Pilot Board are set out within this report as Appendix 1.
- 3.7 It is not possible at the time of preparing this report to suggest a finalised membership of the Birkenhead Wallasey and New Ferry Simplification Pathfinder Pilot Board as there has been insufficient time to fully engage with current and potential future members of the Board on the issue. If Members agree with the recommendations within this report the Director of Regeneration and Place will engage with the existing Town Deal Board membership and Department for Levelling Up, Housing and Communities and submit a further report to a future meeting of Policy and Resources Committee on the proposed finalised membership of the Board.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The proposals within this report are designed to deliver operational efficiencies and mitigate the risk of clawback or withheld funds with regards to the challenging delivery timetables of the Council's regeneration ambitions. There are no additional financial implications of adopting the recommendations within this report.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 The Birkenhead Wallasey and New Ferry Simplification Pathfinder Pilot Board would be an unincorporated association. An unincorporated association is not a discrete legal entity. People who are members of the entity, agree, usually in a written constitution/memorandum of understanding etc, to co-operate in furthering a common purpose. The Council would be the accountable body with responsibility for arranging meetings of the Board.
- 5.2 The Council or the Liverpool City Region Combined Authority would be responsible for making any applications for grant funding given that public grants are in general only available to incorporated bodies. Whichever route was used for grant

applications, the Council would remain the accountable body. As accountable body, the Council would have the choice whether to act on any recommendations the Board might make.

5.3 Minutes of the Board would be referred as required to either the Economy, Regeneration and Housing Committee, or Policy and Resources Committee for a decision as appropriate (with reference to the Council according to the circumstances and in accordance with the constitution).

5.4 The approach advocated within this report would be to avoid organisations which are very likely to be eligible to apply for grant funding under the provision of the funds covered by the Simplification Pilot. Whilst they would be able to make submissions to the Board, they would not be part of the decision making.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

6.1 There are no significant impacts in terms of staffing, ICT or assets arising directly from this report.

## **7.0 RELEVANT RISKS**

7.1 The proposals within this report mitigate against the risk of the Council's regeneration ambitions not being aligned to those of other stakeholders. Specifically, the establishment of the Board would mitigate the following risks:

- a) of not deploying grant funding from multiple sources within the spend profile timetable;
- b) of delivering competing or conflicting proposals across the priority project areas;
- c) of not securing future private sector investment for future projects through a coordinated approach to procurement and marketing strategy; and
- d) of not delivering a coordinated approach to cross cutting themes of transport, health and education.

7.2 The proposals within the report would also enable better management of financial delivery to reduce risk of cost overruns. They would also enable better oversight of procurement and project management to reduce risk of programme slippage.

7.3 A risk register will be maintained and will be scrutinised by the Board.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 The proposals within this report outline a clear mechanism for consulting with key stakeholders in terms of the Council's overarching Regeneration programmes and in terms of its Investment Plan pursuant to the Pathfinder Simplification Pilot.

## **9.0 EQUALITY IMPLICATIONS**

9.1 The Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a

tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

- 9.2. Whilst there are no direct equality implications arising from this report, the associated actions arising from the delivery will need to assess any equality issues and mitigate any negative impact that may emerge.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 Any proposals resulting from this report would be progressed in line with the Council's Climate Change Strategy and would contribute to the aim of Wirral becoming net zero and climate resilient.

## **11.0 COMMUNITY WEALTH BUILDING**

- 11.1 The aim of this report is to secure the best possible outcome for the future of the areas covered by the pilot. This represents a vital step in the delivery of a sustainable regeneration for the relevant area for the benefit of the wider community.

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## **APPENDICES**

Appendix 1- Terms of Reference and Membership of Birkenhead Wallasey and New Ferry Simplification Pathfinder Pilot Board.

## **BACKGROUND PAPERS**

**Wirral Plan 2021 - 26**

**Birkenhead 2040 Framework**

[Birkenhead 2040 Framework | www.wirral.gov.uk](http://www.wirral.gov.uk)

[Wirral Local Plan](#)

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

## APPENDIX 1- BIRKENHEAD, WALLASEY AND NEW FERRY SIMPLIFICATION PATHFINDER PILOT BOARD

### TERMS OF REFERENCE AND MEMBERSHIP

Purpose	To provide a vehicle through which the vision of the Simplification Pilot Investment Plan and the projects within it are delivered.
Role	<p>To make recommendations and give advice to Wirral Borough Council as regards matters within its scope</p> <p>To support the activities within scope of the Investment Plan.</p> <p>To ensure that the projects benefit the communities within which they are delivered.</p>
Membership	<p>Selection and appointment of the Board will be led by Wirral Borough Council. The Board shall comprise of the following:</p> <ul style="list-style-type: none"> <li>• Chair of Economy and Regeneration and Housing Committee;</li> <li>• Ward members – 1 member from each ward within the scope of the Simplification Pilot;</li> <li>• Local business and investors;</li> <li>• Community representatives; and</li> <li>• Local MPs</li> <li>• Job Centre Plus;</li> <li>• Anchor Institutions; and</li> <li>• Arms-length bodies and other non-governmental agencies.</li> </ul> <p>It is envisaged that membership can be drawn from the existing Town Deal Board who have successfully overseen the partnership in Birkenhead and have considerable historical experience of the process and projects. However, in finalising membership the following guiding principles should be considered:</p> <ul style="list-style-type: none"> <li>• Size of the Board;</li> <li>• Balance with number of elected members; and</li> <li>• Conflicts of Interest</li> </ul>
Chair	<p>Chair of Economy Regeneration and Housing Committee.</p> <p>*In absence of the chair, chair will be selected from the Board membership for the duration of the meeting only.</p>
Responsibilities	<p>The Board brings together private, public and voluntary sectors to provide the strategic leadership required to deliver the Investment Fund objectives. The responsibilities of the Board are to:</p> <ul style="list-style-type: none"> <li>• Ensure progress is being made on delivery of the projects;</li> <li>• Propose 'change control' options where necessary;</li> <li>• Oversee programme Assurance;</li> <li>• Ensure involvement of key stakeholders in the development of projects; and</li> </ul>

	<ul style="list-style-type: none"> <li>• Establish Task and Finish Groups to develop agreed activities, reviewing and reporting on progress as necessary.</li> </ul>
Decision Making	<p>All Board Members have a responsibility to ensure that adequate discussion of issues occurs before recommendations are made. There is a strong presumption, if at all possible, that decisions should be reached by consensus.</p> <p>If consensus cannot be agreed by the Board in the first instance, the Chair will mediate towards satisfactory resolution, based on an evidenced-led approach.</p> <p>If the Board still cannot reach consensus, decisions will be made on the basis of voting.</p> <p>Whilst the Board does not have formal delegated decision-making powers, its decisions will be in the form of independent advice, and recommendations to the Council in the spirit of consultation and collaboration. The Council will be responsible for making formal decisions in relation to matters within the scope of the Board, informed by input from the Board in accordance with the Council's constitution and decision-making processes.</p>
Voting Arrangements	<p>All Board Members shall have one vote each, which may be cast on matters considered at the meeting. Any decision taken by the Board must be a majority decision. Where a conflict of interest exists, a Board Member may not take part in the debate and should leave the room when the matter is being discussed. Save where they have a prejudicial interest, the Chair will have a casting vote. Members are not entitled to cast a vote if they are not in attendance when the decision is formally agreed.</p>
Delegating Tasks and Powers	<p>Task and Finish Groups may be established by the Board for specific and appropriate elements of the Board's business. The Board should agree what Task and Finish Groups are required. Additional members may be invited to provide skills, resources, insight and capacity to the task but must abide by the decision-making structures, Code of Conduct and Terms of Reference of the Board.</p> <p>Each Task and Finish Group should be chaired either by a Board Member or a Board approved nominated representative. Progress on tasks of the Task and Finish Group should be updated and reported to the Board, to a schedule agreed by the Board as appropriate to its agenda. Procurement processes will be governed by the Financial Regulations and Procurement Procedures for any goods or services procured by funds for which the Council is the accountable body.</p>
Reporting	<p>The proceedings and resolutions of the meetings of the Board, including names of those present, shall be minuted by the</p>



	secretariat. Draft minutes will be circulated promptly to all Board members. Minutes, or extracts thereof, will be published as part of reporting to the relevant Council committee.
Governance	The Board and its members shall use the pre-existing governance structures of Wirral Borough Council. The Board and its members shall align with the governance standards and policies of Wirral Borough Council.
Confidentiality	Members of the Board are required to preserve the confidentiality of information presented, discussed or considered by the Board if necessary. The meetings will not be open to attendance by the press or public.
Meetings	<p>Meetings will be scheduled on quarterly basis or as required by the development of business cases and implementation of projects. This will be kept under review to ensure progress. Board Members are expected to attend regularly, and meetings will be diarised to ensure optimal attendance. However, if Board Members are not able to attend, they are still required to read the Board papers and make their views known to the Chair of the Board in advance of the Board meeting.</p> <p>Duration of the Board Membership will be as follows:</p> <ul style="list-style-type: none"> <li>• In the case of Council members for the duration of their terms of office;</li> <li>• In the case of other members (i.e. non council members) until 31 May 2024 whereupon the Council will be at liberty to make a re appointment for a term of up to 4 years.</li> </ul> <p>Secretariat for the Board will be provided by Wirral Borough Council.</p>
Quorum	At least 5 members.
Code of Conduct	Board Members will be required to adhere to the governance standards and policies of Wirral Borough Council. One Code of Conduct will cover all Members of the Board with respect to its purpose and objectives, its Task and Finish Group all public sector officers supporting the development and delivery of the programmes and projects within scope of the Investment Plan. The Board will be made aware of the importance and significance of upholding these standards at their inaugural Board Meeting and through regular training processes if required.
Declaration of Interest	At every Board meeting, Members will be asked to declare any actual or potential conflicts of interest, and these will be publicly recorded. Where the Board agrees that a conflict is inappropriate, the member should be excused from both the discussion and decision making. Particular care will be taken where Board

Members have a live, concurrent post which could give rise to conflicts of interest.

Any conflict of interest of Board Members will be established at the start of the selection process and actively managed to ensure there are no material factors impeding independence of judgement. Board Members will demonstrate visible independence which is vital to ensure that there is no bias or favouritism towards or against particular Board Members.

This freedom of action is needed to reassure investors, competitors, residents, employees and all tiers of government. Wirral Borough Council, as the Lead Authority, will publish the list of Board Members and registered Conflicts of Interest. Members of the Board agree to comply with the Nolan Principles, the 7 principles of public life which apply to anyone who works as a public office holder.