
Minutes of the meeting of the SELEP Accountability Board, held in Ebbsfleet Room, Holiday Inn Express Dartford, University Way, Dartford, DA1 5PA on Friday, 11 February 2022

Present:

Sarah Dance	Chair
Cllr Lesley Wagland	Essex County Council
Cllr Roger Gough	Kent County Council
Cllr Rodney Chambers	Medway Council
Cllr Keith Glazier	East Sussex County Council
Cllr Ron Woodley	Southend-on-Sea Borough Council
Cllr Rob Gledhill	Thurrock Council
Rosemary Nunn (virtual attendance)	Higher Education representative
Simon Cook	Further Education/Skills representative

Also Present:

Marwa Al-Qadi	East Sussex County Council
Suzanne Bennett	SELEP
Amy Bernardo	Essex County Council
Steven Bishop	Steer
Christopher Broome	Sea Change Sussex
Adam Bryan	SELEP
Lee Burchill	Kent County Council
Paul Chapman	Essex County Council
Alex Colbran	East Sussex County Council
Howard Davies	SELEP
Richard Dawson	East Sussex County Council
Helen Dyer	SELEP
Sunny Ee	Medway Council
Stephanie Ennis	Essex County Council (Legal representative for the Accountable Body)
Amy Ferraro	SELEP
Chris MacDonald	Morgan Sindall
Stephanie Mitchener	Essex County Council (as delegated S151 Officer for the Accountable Body)
Kevin Munnelly	Thurrock Council
Lorna Norris	Essex County Council
Sarah Nurden	Kent County Council

Tim Rignall	Southend-on-Sea Borough Council
Keith Rumsey	Thurrock Council
Christopher Seamark	Kent County Council
Lisa Siggins	Essex County Council
Laura Wallis	Essex County Council
Robert Willis	Essex County Council

1 Welcome and Apologies for Absence

- Cllr Kevin Bentley substituted by Cllr Lesley Wagland
- Cllr Mark Coxshall substituted by Cllr Rob Gledhill

2 Minutes from the previous meeting

The minutes of the meeting held on Friday 19th November 2021 were agreed as an accurate record.

3 Declarations of Interest

Councillor Chambers declared a non-pecuniary interest in respect of agenda item 18 (Growing Places Fund Update) which concerned the Fitted Rigging House project at the Chatham Historic Dockyard, as he is a trustee of the Chatham Historic Dockyard. Consequently, Councillor Chambers did not vote on this item.

Sarah Dance declared a non-pecuniary interest in respect of agenda item 18 (Growing Places Fund update). This item referenced the package of works for which Medway Council has secured Levelling Up Fund funding and which includes the Docking Station. Sarah Dance is Chair of Creative Estuary who have invested in the development of the Docking Station project.

4 Questions from the public

There were none.

5 Getting Building Fund Capital Programme update

The Board received a report from Helen Dyer, SELEP Capital Programme Manager, the purpose of which was for the Accountability Board (the Board) to consider the overall position of the Getting Building Fund (GBF) capital programme.

Councillor Wagland provided an update regarding the Jaywick Market and Commercial Space project, including the steps being taken to bridge the funding gap.

Simon Cook raised the issue of risks associated with the slippage of projects, it was confirmed a full assessment of options will be undertaken prior to the April Board meeting.

Resolved:

1. **To Note** the current forecast spend for the GBF programme for 2021/22 financial year of £53.569m, as set out in Table 1 of the report.

2. **To Note** the updates on the projects which have received approval for retention of GBF funding beyond 31 March 2022.

3. **To Note** the identified risk to the delivery of the Jaywick Market and Commercial Space project. Noting that a formal decision regarding the increase in project cost and ongoing assurance regarding the value for money offered by the Project will be sought from the Board in April 2022.

4. **To Note** the update on the GBF projects which have been identified as High Risk.

6 Management of GBF funding forecast for spend after 31 March 2022

The Board received a report from Helen Dyer, the purpose of which was for the Board to consider how to most effectively manage the Getting Building Fund (GBF) funding forecast for spend after March 2022, which is currently still held by Essex County Council, as the Accountable Body for SELEP.

Helen Dyer confirmed that option 2 (as set out in the report) was the recommended option as this should allow for Government expectations regarding the issue of the full GBF funding allocation to local partner authorities by 31 March 2022 to be met.

Resolved:

1. **To Note** that the maximum value of the GBF currently forecast to still be held by the Accountable Body at the end of 2021/22 is £19.278m, as set out in Table 1 of the report.

2. **To Agree** that the remaining GBF is transferred to local partners by 31 March 2022, subject to the outcome of the decisions set out in Table 2 and the application of specific funding conditions to a number of the projects, as set out in Table 3 of the report.

3. **To Agree** that the unspent GBF held by local partners at the end of 2021/22 must either be applied in line with the GBF SLA within their own local capital programme by 31 March 2022, as an Option 4 capital swap, or held as a ringfenced capital grant.

4. **To Agree** that where GBF that has already been transferred to local partners and remains unspent at the end of 2021/22, due to unplanned slippage of GBF from 2021/22 to 2022/23, this should be added to the value of the Option 4 capital swap or held by the local partner as a ringfenced capital grant, in line with the GBF SLA.

7 GBF Extensions beyond 31st March 2022

The Board received a report from Helen Dyer, the purpose of which was for the Board to consider whether the five projects outlined in the Section 9 of the report meet the conditions agreed in July 2021 for retention of their respective Getting Building Fund (GBF) allocations beyond 31 March 2022. The projects under consideration are: Laindon Place, Tendring Bikes and Cycle Infrastructure, First and Second Floors, Building 500, Discovery Park, Sandwich (Discovery Park Incubator), Romney Marsh Employment Hub and ASELA LFFN.

Councillor Gough provided an update regarding the Discovery Park Incubator project, confirming that following the tender process contractor appointments had been made. He advised that a further update will be given at the April Board meeting.

Councillor Gledhill provided an update regarding ASELA LFFN advising that any extension would be welcomed by both local businesses and residents.

Councillor Wagland spoke in support of the Laindon Place and Tendring Bikes and Cycle Infrastructure projects, advising that both projects are now far advanced and would benefit from any extension.

Resolved:

In respect of all the following projects: Laindon Place, Tendring Bikes and Cycle Infrastructure, First and Second Floors, Building 500, Discovery Park, Sandwich (Discovery Park Incubator), Romney Marsh Employment Hub and ASELA LFFN (*Note: separate decisions were taken for each of these projects*).

1. **To Agree** that the Project meets the conditions and criteria previously agreed by the Board for the retention of GBF funding beyond 31 March 2022 for a maximum period of 6 months, subject to Strategic Board endorsement at the March 2022 meeting.

8 Getting Building Fund funding decisions

The Board received a report from Howard Davies, SELEP Capital Programme Officer and a presentation by Steer, the purpose of which was for the Board to consider the award of £891,000 Getting Building Fund (GBF) to the Princess Alexandra Hospital – relocation of post graduate medical centre, Food Street and Braintree – Active Travel projects as set out in Appendix B of the report.

Steven Bishop from Steer reminded the Board of the definition of Value for Money Exemption 1 as set out in the SELEP Assurance Framework.

Resolved:

1. **To Agree** the award of £500,000 GBF to Essex County Council for further award to The Princess Alexandra Hospital NHS Trust for the Princess Alexandra Hospital – relocation of post graduate medical centre project which has been assessed as offering High value for money with a Low/Medium certainty of

achieving this (Value for Money Exemption 1 applied), subject to Government approval of project inclusion within the GBF programme and submission of a completed Monitoring and Evaluation plan and Baseline report by 28 February 2022.

2. To Agree the award of £100,000 GBF to East Sussex County Council for further award to Eastbourne Borough Council for the Food Street project which has been assessed as offering High value for money with a High certainty of achieving this, subject to Government approval of project inclusion within the GBF programme.

3. To Agree the award of £291,000 GBF to Essex County Council for the Braintree – Active Travel project which has been assessed as offering High value for money with a Low/Medium certainty of achieving this (Value for Money Exemption 1 applied), subject to Government approval of project inclusion within the GBF programme.

9 Getting Building Fund funding decisions and extension requests

The Board received a report presented by Helen Dyer and a presentation by Steer, the purpose of which was for the Board to consider the award of £1,209,000 Getting Building Fund (GBF) to the Techfort and Seven Sisters Country Park visitor infrastructure uplift projects as set out in Appendix B of the report.

Helen Dyer indicated that Section 151 Officer sign off had not yet been received from Kent County Council in respect of the Techfort project and therefore it wasn't possible for the funding decision to be taken at this time. However, Councillor Gough advised that he had just received confirmation that the Business Case was now in a position to be signed off by the Section 151 Officer of Kent County Council. It was subsequently agreed that the signed Business Case had to be submitted to SELEP by close of business on 11 February 2022, which is reflected in the recommendation below.

Councillor Gough further explained all the difficulties that had been encountered and stressed the strength of the merits of the project, urging the Board to support option 1 as set out in the report.

Simon Cook raised a query regarding the implications if the funding was not awarded to support the two projects outlined in the report due to the identified risks. Helen Dyer confirmed that if the funding was not awarded at this meeting, then it would remain unallocated at 31 March 2022 (the official end of the Getting Building Fund programme) and that this was potentially a greater risk given Government's expectations regarding full release of the GBF funding to local partner authorities prior to the end of March 2022.

Resolved:
Techfort

To Agree the award of £1,009,000 GBF to Kent County Council for further award

to Dover Citadel Ltd for the Techfort project which has been assessed as offering High value for money with a Medium certainty of achieving this, subject to the Business Case signed off by the Section 151 Officer of Kent County Council being received by SELEP by close of business on 11 February 2022, Government approval of project inclusion within the GBF programme and confirmation of receipt of all outstanding consents including planning and Scheduled Monument Consent by 20 May 2022 and agree that the GBF funding can be retained against the project beyond March 2022 for a maximum period of 9 months, as an exception, subject to Strategic Board endorsement in March 2022.

Seven Sisters Country Park visitor infrastructure uplift project

To Agree the award of £200,000 GBF to East Sussex County Council for further award to the South Downs National Park Authority for the Seven Sisters Country Park visitor infrastructure uplift project which has been assessed as offering High value for money with a Low/Medium certainty of achieving this (Value for Money Exemption 1 applied), subject to Government approval of project inclusion within the GBF programme and agree that the GBF funding can be retained against the project beyond March 2022 for a maximum period of 6 months, subject to Strategic Board endorsement in March 2022.

10 Local Growth Fund Programme Update

The Board received a report from Helen Dyer, the purpose of which was for the Board to consider the overall position of the Local Growth Fund (LGF) capital programme, as part of SELEP's Growth Deal with Government.

Resolved:

1. **To Agree** the updated total planned LGF spend on project delivery in 2021/22 of £45.651m excluding DfT retained schemes and increasing to £62.364m including DfT retained schemes, as set out in Table 1 and Appendix A of the report.
2. **To Note** the deliverability and risk assessment, as set out in Appendix D of the report.
3. **To Agree** the spend of LGF beyond 30 September 2021 and the revised completion date for the Bexhill Creative Workspace project as set out in Section 7 of the report, subject to Strategic Board endorsement in March 2022.
4. **To Agree** the removal of the Maidstone East Station Access Improvements (West Kent LSTF) project from the LGF project pipeline.

11 Grays South LGF High Risk Project Update

The Board received a report from Howard Davies, the purpose of which was for the Board to receive an update on the delivery of the Grays South project (the Project) which is considered to be high risk. Keith Rumsey, from Thurrock Council, was available to respond to any questions.

Councillor Gledhill gave the Board an update outlining the difficulties encountered advising that it was a complex project with many moving parts.

Resolved:

1. **To Note** the update on project delivery including the increase in project costs, and the associated identified value for money risk.
2. **To Note** that a Project Change Request and an updated value for money assessment will be presented to the Board in April 2022. If it cannot be demonstrated that the Project continues to offer High value for money and therefore does not meet the requirements of the Assurance Framework, the Board will be asked to consider clawback of the LGF funding allocated to the Project.
3. **To Agree** that LGF spend on the Project should be placed on hold until it can be demonstrated that the project continues to offer High value for money.

12 LGF high risk project update

The Board received a report from Howard Davies, the purpose of which was for the Board to receive an update on the delivery of the following Local Growth Fund (LGF) projects which are currently ranked as high risk: A13 Widening and A28 Sturry Link Road.

Resolved:A13 Widening

1. **To Note** the update on the Project.
2. **To Note** that a further update will be brought to the April 2022 Board meeting.

A28 Sturry Link Road

1. **To Note** the update on the Project.
2. **To Note** that a further update will be brought to the April 2022 Board meeting.

13 Maidstone ITP report

The Board received a report from Helen Dyer, the purpose of which was for the Board to receive an update on the delivery of the Maidstone Integrated Transport Package Local Growth Fund (LGF) project (the Project) which is currently ranked as high risk.

The Board were advised that listed building consent has not yet been secured to enable the relocation of the ragstone wall at Mote Park. A decision is due in the week following this meeting.

Cllr Gough provided an update on the latest project developments and indicated that it was hoped that there would be a successful resolution of the planning issue in the coming days.

Resolved:

1. **To Note** the update on project delivery.
2. **To Agree** to allow the Project until the April Board meeting (29 April 2022) to secure the listed building consent required to enable the relocation of the ragstone wall associated with Mote Park (required to enable delivery of Phase 1 of the Project).

3. **To Note** that a further delivery update will be brought to the April 2022 Board meeting, which will include confirmation as to whether the required consent to relocate the ragstone wall has been secured.

14 **LGF Additional Funding Awards Report**

This item was not required as no LGF funding was returned to SELEP for reallocation as a result of decisions taken by the Board during the course of this meeting.

15 **Queensway Gateway Road LGF Project Update**

The Board received a report from Richard Dawson, Head of Service - Economic Development, Skills and Infrastructure, East Sussex County Council and Helen Dyer, the purpose of which was for the Board to receive a further update on the delivery of the Queensway Gateway Road project (the Project).

Resolved:

1. **To Note** the latest position on the delivery of the Project and the steps which need to be taken to secure completion;
2. **To Note** that a decision on the selection of the preferred junction solution will be made in the latter part of 2022 following a period for sufficient evidence to be gathered on the impact of the signalised junction; and
3. **To Agree** that the Board will be provided with a further update on the Project, which updates the project delivery plan and associated milestones, at its meeting on 29 April 2022.

16 **Stanford Le Hope Update Report**

The Board received a report from Keith Rumsey, Interim Assistant Director – Regeneration and Place Delivery, Thurrock Council and Howard Davies, the purpose of which was to provide an update to the Board on the delivery of the London Gateway/Stanford le Hope project (the Project).

Cllr Gledhill spoke about the complexities of the project and the changing context in light of the new Thames Freeport.

Resolved:

To Note the update on the project and progress towards the submission of an updated business case which sets out Value for Money and Benefits offered by the Project to be considered by the Board at the April 2022 Board meeting.

17 **M2 J5 Update**

The Board received a report from Helen Dyer, the purpose of which was to update the Board on the delivery of the M2 Junction 5 improvements Local Growth Fund (LGF) project (the Project).

Resolved:

To Note the update on project delivery.

18 Growing Places Fund programme update

The Board received a report from Helen Dyer, the purpose of which was to update the Board on the latest position of the Growing Places Fund (GPF) Capital Programme.

Note: The repayment risk attached to the North Queensway project is shown as Amber in Appendix A as attached to this report. It is noted that the repayment risk for the project should be Green and that the final loan repayment will be made by 31 March 2022 as previously agreed by the Board.

Resolved:

1. **To Note** the updated position on the GPF programme.
2. **To Approve** the accelerated drawdown of funding for the No Use Empty Commercial Phase II project.
3. **To Approve** the revised repayment schedule for the Fitted Rigging House project and agree that, despite repayments not being made in line with the original repayment schedule, no interest will be charged on the loan.

19 SELEP Finance Update

The Board received a report from Lorna Norris, Senior Finance Business Partner, the purpose of which was for the Board to consider the latest financial forecast position for the SELEP Revenue budget for 2021/22.

Sarah Dance paid tribute to all the staff involved and the accountable body at Essex County Council for steering through a very challenging time, this was echoed by the Board.

Resolved:

1. **To Note** the current forecast net cost of services for 2021/22 is an under spend of £153,000;
2. **To Approve** the appropriation from the redundancy reserve of £112,493 to support the establishment of a provision for redundancy costs of the equivalent value.

20 Operations Update

The Board received a report from Suzanne Bennett, SELEP Chief Operating Officer, the purpose of which was for the Board to be updated on the operational activities carried out by the Secretariat to support both this Board and the Strategic Board. The report includes an update on the Annual Performance Review, risk management, compliance with the Assurance Framework and performance against governance KPIs.

It was acknowledged that due to delays in receiving information from Government regarding Growth Hub funding for 2022/23, there is a real risk that there will need to be a break in service.

In response to a question raised by Councillor Gough concerning the proposed wording regarding the maximum extension available to GBF projects in the Assurance Framework it was confirmed that, whilst this was the current position, Helen Dyer would be conducting a review of this policy and that an update would be provided at the April Board meeting.

Resolved:

1. **To Note** the proposed changes to the Assurance Framework as highlighted at Appendix A of the report;
2. **To Note** the update on Assurance Framework compliance monitoring at Appendix B and Governance KPIs at Appendix C of the report; and
3. **To Note** the changes to the Risk Register at Appendix D of the report.

21 Any other business

On behalf of the Board, the Chair passed on her thanks for her dedicated service to Suzanne Bennett who is leaving SELEP to join Braintree District Council.

Cllr Wagland raised the ongoing issues concerning the A127 Fairglens Junction Improvements project and the difficulties that are being encountered with securing Department for Transport (DfT) approval of the Full Business Case. Cllr Wagland indicated that steps were being taken to engage with DfT but sought support from the Board should further intervention be required.

Cllr Gough confirmed that the Techfort Business Case signed by the Kent County Council Section 151 Officer had been submitted to SELEP officers during the course of the meeting.

22 Date of next meeting

The Board noted that the next meeting will take place on Friday 29th April 2022, at Mid Kent College, Maidstone Campus.

There being no further business, the meeting closed at noon.

Chair