

## Agenda Item No. 11

### WEST MIDLANDS REGIONAL ASSEMBLY

#### Assembly Meeting – 5 April 2006

### DECISIONS OF THE BOARD OF DIRECTORS

#### Report of the Chief Executive

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1. **Purpose of report**

To advise the Regional Assembly of matters considered by the Board at its meeting on 3 March 2006 which are not otherwise the subject of a report to this meeting. The agenda and accompanying reports are available via the Assembly's website.

2. **Recommendation**

The content of the report be noted.

3. **Background**

The board at its meeting on 3 March considered reports on the following items:

3.1 **Policy Issues**

3.1.1 ***Regional Funding Allocation and Forward Planning Executive***

The Board:-

- 1) **noted** the final submission on Regional Funding Allocations from Assembly and AWM to Government.
- 2) **noted** Government's intention to have a dialogue with the regions in the context of the Comprehensive Spending Review and thereafter.
- 3) **requested** officers to scope out the role, remit and membership of the Forward Planning Executive.

3.2 **Regional Assembly Legal Contingency Fund**

The Board **agreed** to establish a legal contingency fund and **instructed** officers to seek approval from ODPM to carry over any under spend for this purpose as detailed more fully in the Estimated Outturn report.

3.3 **2005-06 Estimated Outturn and Final Virements**

The Board **noted** the report and **approved** the revised estimates and the resulting virements as detailed below:

Additional expenditure:

- **WS13 £20,000** to increase capacity for Assembly staff within the RPC and ensure Freedom of Information (FOI) capability (adaptation works, furniture and storage, ICT equipment and infrastructure improvements)

- **WS29 £64,224** legal fund with any balance to be carried forward as a contingency fund to support RHB, Conformity and public inquiries in 2006-07 (in addition to a virement of £12,500 to legal already approved by the Board on 2<sup>nd</sup> December)
- **WS34 £5,000** to strengthen our support for 2012  
These virements will be supported by a transfer of funds from other work-streams;
  - From Transport [WS22] a total of £30,000 for legal contingency at WS29
  - From Staffing [WS10] £35,000 contributing £20,000 to Office expansion WS13, £3,970 to shortfall on Policy work strands, and £11,030 to the legal contingency WS29
  - The balance of WS29 the Legal Contingency Fund of £23,194 is drawn from other planning work strands.

### 3.4 **Review of Regional Policy Partnerships**

The Board

- (a) **supported** the protocols set out in the report on Regional Partnership structures, and recommend their approval by the full Assembly.
- (b) **agreed** to establish a small task and finish group to review Assembly structures in the light of the protocols and report back.

### 3.5 **WMRA response to Regional Sustainable Development Framework (RSDF) consultation**

The draft Assembly response to the current consultation on the revised Regional Sustainable Development Framework (RSDF) was approved for submission to Sustainability West Midlands.

### 3.6 **Report of the Chief Executive and Company Secretary**

#### 3.6.1 ***Interim Management Arrangements***

The Board were advised of the proposed interim management arrangements, pending the arrival of a new Chief Executive. Steve Hind would take forward the integrated corporate governance requirements of WMRA and WMLGA with Rose Poulter taking on the additional regional policy work and connections in the new structure. The proposed interim management arrangements were **agreed**. In addition, the Board **delegated** to the (Regional Partnerships) Secretary the matter of appropriate honoraria for these two officers during this period.

#### 3.6.2 ***Transfer of Company Secretary role***

The Board **agreed** to appoint Stephen Hind as Company Secretary with immediate effect pending the appointment of a new Chief Executive.

#### 3.6.3 ***ODPM response: Business Plan***

It was agreed that subject to any modifications requested by ODPM the Draft Business Plan be submitted to the next Assembly meeting for formal adoption.

### 3.6.4 **ODPM response: Housing and Corporate Governance**

The Board were advised of the submission of a detailed response to David Milliband's letter requesting both the Assembly's proposals for the Regional Housing Body role and compliance with the draft guidelines for designation of assemblies. The Assembly's submission was **endorsed**.

### 3.6.5 **Planning Panel (Conformity)**

The Board:

- a) **agreed** to the establishment of a Planning Conformity Panel as a sub-committee of the Board
- b) **asked** Regional Advisory Group to consider the issues arising from this and to undertake a review of the Planning Conformity Protocol.
- c) **requested** that legal advice be sought on the above.

### 3.6.6 **Audit Committee Membership**

The Board **appointed** Cllr Rex Roberts to the Audit Committee and also **noted** the amendment to the future meeting arrangements.

### 3.6.7 **Exemption from using the word 'limited' in a company name**

The Board **agreed**, subject to the receipt of legal advice, to take the necessary steps to seek the exemption from using the word 'limited' in its company name.

## 3.7 **Report of the Senior Director**

### 3.7.1 **Chief Executive Recruitment**

The Board were informed that the post of the new Regional Partnerships Chief Executive had been advertised with a closing date of 3 March. Shortlisting took place after the Board of Directors meeting on 10 March.

A two day selection process was scheduled for 16/17 March with the formal interviews held on 17 March. The interview panel as proposed comprised the Chairman and Vice-Chairs of WMLGA and WMRA. Following the resignation of Cllr Mick Salih as Vice-Chair of WMLGA/WMRA and the withdrawal for health reasons of Valerie Broom revisions to the interview panel were required. Roger McKenzie had agreed to stand in for Valerie and Cllr Susanna McCorry and Cllr Heather Kidd would complete the Panel. The Board **noted** the report.

*[NOTE: The result of the recruitment process was that, despite interviewing some high quality candidates reflecting a wide range of experience, the interviewing panel was not able to identify one individual who not every aspect of the demanding specification required to fulfil the role.*

*The Chairman and Vice-Chairs, in consultation with officers and advisers, are reviewing the options for a resumption of the search*

*and selection process. Progress will be reported at the Assembly meeting.]*

### 3.7.2 **Regional Partnerships Secretary and Deputy Secretary**

The Board were advised of the resignation of Nigel Summers as Regional Partnerships Secretary and **agreed** to appoint:

- (c) Michael Frater, Chief Executive of the Borough of Telford and Wrekin, as Regional Partnership Secretary for a period of two years.
- (d) Nina Dawes, Chief Executive of Lichfield District Council as Deputy Secretary, also for a period of two years.

### 3.8 **LEONARDO Project bid**

A request had been received from the Lower Silesia Bureau for Regional Spatial Planning to enable the West Midlands Royal Town Planning Institute (RTPI) to participate in a LEONARDO exchange programme due to take place at the end of Summer 2006.

The Chairman had signed a non-binding letter of intent to enable the application for funding to be made. If the project was approved and submitted for signature and the Assembly discovered hidden costs or work which it is not in a position to undertake the letter of intent can be withdrawn. The Board **noted** the report.

### 3.9 **Regional Partnership Sustainable Development reports to the Assembly Annual General Meeting - proposal for process**

The proposal for the submission of reports by Regional Policy Partnerships to the Assembly Annual General Meeting on the contribution their work has made to sustainable development in the region was **noted**.

### 3.10 **Coventry Airport**

The Board received an update report from the Chief Executive on the Assembly's participation in of the Coventry Airport s78 Public Inquiry.

In the course of the Inquiry, Counsel for Coventry Airport had questioned the Assembly's authority to raise the issue of airspace conflict as one of the matters of relevance to the application's general conformity with the Regional Spatial Strategy. The Assembly would not be adducing evidence in respect of airspace conflict but was seeking an airspace expert to listen to the evidence adduced by other parties so as to assist counsel and inform the future Phase 2 Revision of the RSS.

The Assembly's witness had agreed that surface access issues have been addressed in the Inquiry.

Counsel for Coventry Airport had indicated he would consider making a costs application against the Assembly on the basis of the Assembly's stance and the procedural challenge unless the Assembly

now supported the application. Counsel for the Assembly would resist the costs application.

The anticipated and potential cost in respect of the Inquiry falling in the next financial year would be met from the legal contingency fund detailed in earlier reports.

The Vice-Chairs of the Planning Partnership outlined their detailed deliberations on the matter and indicated that decisions had not been taken lightly.

The Board:

- (i) **approved** use of the legal contingency fund to source an airspace expert,
- (ii) **noted** the threatened cost application, and
- (iii) **expressed** the view that the Assembly needed to be robust in the face of challenge.

### 3.11 **Regional Secretariat – Implementing Job Evaluation**

The Board **noted** the outcomes of the Job Evaluation Exercise undertaken by WMLGA as the employing body for Secretariat staff, including staff on the WMRA establishment.

The Board **noted** that the WMLGA Resources Panel had agreed a new pay structure which involved no reductions in remuneration but grade/pay increases for five members of staff on the WMRA establishment.

The Board **approved** the grade/pay changes and that the additional costs not previously included in the budget, estimated at £20,000 would need to be met from within the 2006/07 budget.

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