

Todmorden Town Deal Board

17th June 2021

Meeting notes

In attendance:

Members

- Cllr Dacre (Co-Chair)
- Tim Benjamin (Co-Chair)
- Cllr Press
- Cllr Carrigan
- Craig Whittaker MP
- Tony Lawson
- Stephen Curry
- Pam Warhurst
- Frankie Mullen
- James Duffy
- Andrew Kim
- Barbara Jones

CMBC Officers

- Karen Houghton, Programme Manager
- Sarah Richardson, Assistant Director of Customer Services
- Shelagh O'Neill, Director of Regeneration and Strategy
- Daisy Wilde, Neighbourhood Coordinator

In Attendance

- Cllr Scullion, CMBC Member (Deputy Leader and, Cabinet member and Portfolio holder for Regeneration and Strategy)

Apologies:

- Cllr Skelton
- Rebecca Greenwood (WYCA Representative)

Welcome:

Tim Benjamin chaired the meeting and welcomed all.

Note: No outcome regarding the Towns Fund bid at present. Still awaiting to hear back.

Minutes from the last meeting – 4th March 2021

The minutes of the last meeting were agreed.

Declaration of Interests (relating to agenda items)

Not applicable for this meeting.

Terms of Reference

Tim referred to ToR (Terms of Reference) Karen drafted (circulated to all members prior to the meeting).

Comments/Discussion about drafted ToR:

Q: TL – where did these come from?

A: KH – some of the wording is general board and council terminology but started a fresh from the one previously drafted.

Q: Tim – would this be the format finalised?

A: KH – it is only a draft and may need some editing in terms of formatting etc.

Q: SC – one of the issues is that we are not using skills necessary, and we have long discussed having a governance group to organise the ToR – I propose we have a group to draft this into a better format.

C: TB – I'd like to discuss what we have in front of us before discussing the possibility of a subgroup.

C: Cllr P – looking at the list of members, omitted 3 councillors, not 2. Also, we have a representative from Calder Ward as Todmorden included in the ward. Calder councillor not on this list. Regarding retirement of 3 years, surely this would not apply to Councillors.

C: KH – my mistake regarding Calder Ward councillor, we can reinstate Cllr Fenton-Glynn, and Cllr Courtney as his allocated substitute.

Q: TB – in terms of the 3 years' timeframe, are we talking about other members, not those who are elected?

A: KH – most other boards have 3 years or for a period of time nominated by local authority.

C/Q: TB – perhaps we do not know all the skills of the board members – perhaps we need to develop a skills matrix?

C: FM – some of the ToRs state 2 years and they have councillors on them. Might be best to consider what is best for the board. Looking through the drafted ToR, I have some questions around vetoing – I feel it would be better having a smaller group working on the detail of the ToR e.g. how far in advance meetings set, how we deal with termination of people who are not following principles. I still feel it is quite vague what our decision-making mandate is and our decision-making power – needs more clarity.

C/Q: TB – agree decision making is fundamental and needs clarity – how a member can cease to be a member as there is no procedure in place to have a board member removed – point of how far in advance a board meeting is set etc. The detail is confusing and needs to be firmed up. Karen can you discuss the decision mandate?

A: KH – in Calderdale we had an existing framework set up across the town boards – in this drafted ToR I have tried to tease out that CMBC (Calderdale Metropolitan District Council) have some responsibility and should have authority, but that we want visions and values to be set by towns board.

C/Q: TH – highlighted board not legal entity – the decision-making flowchart sent is useful. Can anyone else, possibly Sarah, comment on this?

C: SO – this is an unclear element of the guidance, but the board is advisory and decision-making sits within the partnership. The board is advisory and makes decisions about the content of the TIP, but the Council's role is to ensure compliance. We have asked for some more clarity from the towns fund team about this.

C: TB – I was concerned things may be put into the TIP that CMBC wanted and not the board. We have the TIP now, areas of detail which CMBC and board may disagree on, but we need clarity on the above moving forward.

C: Cllr D – there is always going to be some conflict. I think the draft does set out responsibility in terms of board and the Council – I am not sure what else could be said at the moment to make that any clear. I suspect the issue is what will happen regarding what the board wants and what CMBC thinks is possible (referring to specific projects). Hopefully, we obtain the money and can then work on business plans, but the business plans must meet criteria that public sector projects have to meet and CMBC have a duty to ensure this as the money is public money. There can however be discussions about this if members are concerned, but what we cannot do is circumvent the financial and legal requirements.

Q: TB – there is a point I disagree on, let's say the government accept the outlined business plans submitted as part of the TIP, but they don't meet public sector project criteria, how does this work?

C: Cllr D – it has been done on proposed business plans, but all will (if we get money) have to go through rigorous business planning processes. It is at that stage the board may say they do not care it meets criteria and want to push on with projects, but what I am saying is that it is the duty of the accountable body to say the business case does not step up. MHCLG (Ministry of Housing, Communities and Local Government) will agree. The Council is acting on behalf of the government, not against it or independently.

C/Q: SC – never had any issues with the prospectus and the accountable body having to be there for financial and legal requirements, and any other elements of responsibility the accountable body has to perform. I thought we were going to have ToR outlining this – what we have in front of us, is existing ToR with 'add ons' – doesn't follow basic of prospectus. If we have an accountable body with that level of control, why do we have so many CMBC members having an influence on the board? I was thinking we would have a ToR looking at this, and how we could have more people with

the skills from the community and private sector – in balance of local authority influence. Why do we need to stick to this existing ToR?

(SC referring to the additional guidance and not original prospectus).

C: AK – we need a process of removing board members but also adding new members. We have previously discussed needing more diversity on the board. Regarding the proposed quorum – 7 members and 1 councillor – this does not make sense to me; it feels the Council has more authority over the business and community sector. has to be there – doesn't make sense to me – feels given more authority to the council over the business and community sector. The suggestion about board papers being available 5 working days before the meeting is really useful, but what happens if that is not possible, do we still go ahead with that meeting or does the agenda item get postponed to the next meeting? I think the meetings should be public, we really need to build in transparency. Regarding the flowchart, only specific committees i.e. youth and comms reorganised, but I would like to make sure we have other subgroups. Also, I'm not sure what the dotted lines represent.

C: TB – quorum – should be a private sector member – more important than a councillor being present.

C: Cllr S – point around disagreement – maybe someone could talk to towns fund about this. I was reminded to mention the changes to the treasury green book – previously focused on business cost ratio outcomes – which has recently been revised in two ways, to consider place and climate emergency in addition to business cost ratio.

C: KH – there isn't an arbitration situation at the moment, but maybe we need one. There will be a requirement after the announcement for the Board to set up assurance framework within two months, particularly important to have independent people involved.

C: BJ – We need to be sent information about changes e.g. treasury green book – we need this information in advance. I also echo what Stephen was saying about skills not being acknowledge.

C/Q: PW – we need to gather all the key points mentioned and then have a small subgroup to bring this together to draft the ToR. I completely agree with Andrew about transparency. There also needs to be a reference to other subgroups and the mechanism for these. I think we should have a chair and vice chair, particularly as we become clearer that we're an advisory body. Is there something we should be referring to in terms of scrutiny? I would like a scrutiny function that reflect the golden thread. Qualitative and quantitative appraisal, reflecting interests of Todmorden with additional metrics to consider the social and environmental.

C: TB – it is incredibly important we consider how we measure success and whether we are doing a good job. On the point of chair, we do need to decide this.

C: Cllr P – the proposed ToR makes clear 13 members – 8 private/community sector members and 4 public sector members (3 CMBC councillors and 1 Todmorden Town Councillor) and the MP – seems fair. Regarding a subgroup for this, I don't see why we have to go away and talk further about the members, when our job is to regenerate Todmorden and ensure the money is spent in the interests of the town. Previous ToR included geographical location – this has been lost. The context in which we have been given this opportunity for regeneration is also missing.

C: CW MP – what concerns me is that this is not a political board at all – the board is about delivering regeneration in Todmorden, what I wanted to say is that it is my experience that CMBC are ultimately the body with responsibility . The board cannot go off and take decisions completely against CMBC as they have to make sure projects are progressed in an open and transparent way – green book loosely applied.

C: KH – proportionality – how loosely we follow green book – largely leaving to partnership locally to set up a framework.

C: CW MP – it is important to get governance in place before any announcement. We do have ability to bring in expertise through subgroups. If it suits the board to have a chair and vice chair, let's do that.

Tim summarised that the key discussions needed to focus on the business of the chair, setting up subgroups and the makeup of the board i.e. members.

Comments/Discussion about the Chairing arrangement:

C: SR – the proposed members and chairing arrangement linked to the original Towns Fund prospectus. CMBC were ahead of many other towns by already having town boards setup, including in Todmorden, and could therefore build on this structure with reference to the prospectus. Nothing within the original prospectus outlined specific numbers i.e. of private, community and public sector members.

C: Tim – I sense that the board would prefer a single chair. Existing ToR says 12-month initial term for the chairs – I would like to step down after 12 months and give way for an election of a new chair, if indeed a single chair.

C: Cllr P – my view is a minority view and most people seem to want a change to the chairing structure – I think a vote on this might be helpful.

C: CW MP – prospectus clearly states that the chair should be from the private sector as the hope was that alternate monies could be found from private sector investment. My view is that it does need to be private sector chair.

C: TB – think vice chair would be useful, and for this to be a politician from CMBC to help steer through the public sector processes.

C: PW – makes complete sense to have a private sector chair and public sector vice chair – optimising skills and experience.

C: SC – we could put recommendation to a subgroup that the consensus seems to be private sector chair and vice chair arrangement – but need to consider skills of chair.

C: TB – my understanding is the chair is free to appoint a vice chair.

Outcome:

A proposal was made and passed for a Chair and Vice Chair arrangement.

Q: AK – can we clarify what is meant by private sector?

A: Cllr D – clearly meant business, someone who can liaise with business colleagues.

C: SC – maybe we need to look for someone with more skills – may need to consider interim situation.

C: Cllr C – would want to know individual skills before voting on a chair – would be good to know that the person had a range of skills.

C: TB – when I was appointed chair there was an interview process and the panel quizzed me on my skills.

C: TL – important to develop skills we need and define what we are looking for, particularly if the chair is key to bringing in additional funding.

C: SC – we had a conversation about having an investment panel, maybe the chair doesn't have to have all the skills but could manage taking advice from expertise – and maybe the vice chair could have some of those skills.

C: TL – great idea, individual with skills may not have commitment but advisor good way of achieving what we want to achieve.

Agreed Action: Karen to organise a subgroup to work on further drafting the ToR, and to allocate members for this subgroup.

C: AK – need to put some timeframes on the draft so that the full board has time to agree – the board should see a copy prior to the next meeting so comments can be made.

C: KH – ought to agree ToR before any announcement – 2 weeks to draft ToR and then 1 week to digest before the next meeting.

C: FM – support smart process on ToR – when Karen identifying members for the subgroup, availability will be important to ensure this is done quickly, emailed around for comment, then emailed again, rubber stamp in next meeting.

Heads of Terms and Next Steps

Karen discussed Brighthouse experience.

- Both co-chairs and CEO of CMBC Robin Tuddenham received a letter outlining how much money awarded and which projects included.
- Brighthouse had all projects approved but were not allocated all of the money.
- We need to resolve governance arrangements, including the ToR and assurance framework, and recruit consultants to work things up.
- 3 weeks to sign heads of terms.
- 2 months to agree projects and reprofile financially.

C: TB – civil servants may come back saying we have some of the money but are able to do all of the projects – we would have to rework.

C: KH – we would have a few options in this case, we could reconsider projects, bring extra funding in to deliver all of the projects, or deliver all projects reducing costs as part of this.

C: CW MP – in Brighouse all of the projects were approved but we did not receive all of the money. We have had to consider how we deliver all of the projects with money we have i.e. scaling back, external money, reprofiling etc. Depends on situation for Todmorden which we don't yet know.

C: SC – actions from previous minutes would normally be addressed in matters arising – there was an action for Rebecca and Karen about funding.

C: KH – Rebecca has said she is happy to talk to us about aligning funding, but once we have the green light.

C: SO – this will be on a case by case basis in line with particular fund administering.

C: PW – Stephen's point regarding investment panel – need to work on this now – huge opportunity to discuss inwards investment, alternative partnerships, and funding streams we can pull on – could do networking.

Monitoring and Evaluation

Karen shared an update.

- We will be judged on road allocated to pedestrians, historical buildings, new workspaces etc.
- Requirement to look at carbon reduction, increase in footfall, air quality.
- We need to look at other ways to measure success, specific to Todmorden, perhaps kindness.
- There will be an enormous amount of work over the next few months, but we need to be sure we know what we are working towards.

Q: PW – how we going to measure success – actually do this? Are we looking at partnering with an organisation to help demonstrate? Can put forward metrics that may be cutting edge and best practice – how do we do this?

C: AK – really agree with the new metrics idea, to celebrate Todmorden, whether this be kindness or happiness.

C: Cllr D – CMBC actually have social value embedded within policies. CMBC were using criteria set by organisations so there are organisations that do this.

C: BJ – through Todmorden Learning Centre, part of what the Climate Challenge College do is evaluate – might be worth having a conversation with them. Benchmark before making improvements.

Q: TB – would it be possible to get baseline in place?

A: BJ – don't know – would need to find out.

Other

Suggestion made that the Board needs to meet before the next proposed meeting on Thursday 8th July.

The members were asked to hold the next two Thursdays 4-6pm in case an extraordinary meeting is requested.

Date of next meeting

Thursday 8th July 4-6pm.