

Report to	Cabinet	Item
	18 March 2014	
Report of	Deputy chief executive (operations)	4
Subject	Greater Norwich Growth Board constitution and Community Infrastructure Levy	

Purpose

To consider the constitutional arrangements for the operation of the Greater Norwich Growth Board and pooling part of the community infrastructure levy (CIL) income.

Recommendations

To:

- (1) approve the constitution for the Greater Norwich Growth Board (appendix 1), the governance of the Local infrastructure fund (appendix 4) and the Greater Norwich Growth Board Investment Fund governance (appendix 5), subject to council approval of the arrangements for the pooling of Community infrastructure levy (CIL);
- (2) recommend council to pool CIL income (excluding the neighbourhood funding and administration elements) with other local authorities to deliver infrastructure across Greater Norwich.

Corporate and service priorities

The report helps to meet the corporate priority prosperous city.

Financial implications

There are no direct financial implications arising from the establishment of a growth board for the Greater Norwich area, other than covering city council members' expenses for attendance at meetings and the contribution towards the secretariat. These costs can be met from existing budgets.

In order to establish the Investment Fund, the council will need to agree to pool CIL income (not including the neighbourhood funding and administrative funding elements (ie excluding 20% or 30% depending on whether there is a neighbourhood plan). This would amount to a total of £20.17M pooled, with £5.043M retained over the period to 2025/26, based on current forecasts. This will be in addition to the residual S.106 income of £5.558M which is forecast to 2025/6. The programme of projects on which the pooled income is spent will be included in the annual business plan which will be subject to Council approval in due course.

Ward/s: All

Cabinet member: Councillor Brenda Arthur, leader of the council.

Contact officers

Jerry Massey, deputy chief executive (operations) 01603 212226

Gwyn Jones, city growth and development manager 01603 212364

Background documents:

None

Background

1. In November 2013, cabinet approved the dissolution of the Greater Norwich Development Partnership (GNDP) and the establishment of a growth board for the greater Norwich area. The detail of governance and constitutional arrangements for the growth board were to be the subject of further discussion between the partners and it was agreed that the outcome would be presented to a future meeting of cabinet for approval. Cabinet also agreed to note the recommendations from the scrutiny committee meeting held on 24 October 2013 and to have regard to these observations in the preparation of the governance and constitutional arrangements for the growth board.
2. The joint working through the Greater Norwich Development Partnership provided the policy framework (the Joint core strategy) which sets out the commitment to deliver 37,000 new homes and 27,000 new jobs over the period 2008 - 2026 and this is now in place. The Norwich Area Transportation (NATS) strategy provides a coordinated approach to transportation across the whole area. The work across Greater Norwich is now moving to a phase of delivery, for which the greater Norwich growth board will be responsible. The growth board is proposed to allow continued collaborative working across greater Norwich in the context of the approved City Deal arrangements. The establishment of the growth board is a key part of the agreement with government.

The City Deal context

3. In December 2013 Greater Norwich signed a City Deal with the government. The City Deal has 3 components:
 - (a) Skills- : this was agreed in October 2013 as part of a LEP wide proposal contained in the Greater Ipswich City deal;
 - (b) Enterprise & Innovation: a total of £3.92M was secured as part of a LEP wide proposal agreed with BiS;
 - (c) Infrastructure: £80m of discounted Public Works Loan Board (PWLb) borrowing is available to provide additional support for investment in strategic and local infrastructure over the period to 2025 (£60m for strategic and £20m for a local infrastructure fund). This investment will help ensure the timely delivery of infrastructure in advance of development being completed. The loans will be repaid from developer and other income.
4. The City Deal negotiation process has already opened up a variety of other funding opportunities:
 - £3.72m for measures to promote cycling in the city
 - £229k for a two year programme of measures to increase the number of people walking in the city.
 - DfT approval for a feasibility study of the A47 to review the requirement to improve capacity of the Longwater and Thickthorn junctions
5. During 2014/15, the LEP will be preparing to implement the Government's decision to devolve more resources to a local level through Local Growth Deals

with each LEP. Unlike City Deals the LEP Growth Deals will have dedicated funding streams (for transport schemes, economic development initiatives etc). In this context one of the benefits of having a growth board for the area is that Norwich will have an existing framework to respond to any investment opportunities arising from these new arrangements.

Greater Norwich Growth Board agreement and constitution

6. A draft agreement and constitution for the growth board has been produced (Appendix 1). This takes account of the comments made by scrutiny committee in October (Appendix 2) and the Aarhus Convention (Appendix 3). The governance of the growth board is based on the following principles:
 - (a) The board will be led by local authority and LEP representatives and will have the scope to include other key partners (either as voting or non-voting members).
 - (b) The board membership (with substitutes) will be the leaders/ cabinet members (or equivalent) of each of the four councils together with business representative from the New Anglia LEP Board.
 - (c) Meetings of the board will be held in public and administrative arrangements for meetings will be the same as those of the local authority undertaking this task.
 - (d) The work of the growth board will be the subject of scrutiny by the individual authorities.
 - (e) Decision making will be by a consensus of all voting members of the board.
 - (f) An annual business plan, to be agreed by the constituent local authorities, will provide the framework for the work of the board.
 - (g) On financial matters, the scope of decision making will be determined by the business plan.
7. The board will have the following broad remit. It will:
 - (a) provide a co-ordinated approach to the delivery of jobs, homes and infrastructure across the area.
 - (b) provide a link to the LEP wide work on skills and business support through representation on LEP wide boards responsible for skills and business support
 - (c) Provide a delivery body for the LEP at a local level
 - (d) be responsible for the delivery of the business plan (the annual programme of delivery)
 - (e) have primary responsibility for coordinating the delivery of strategic infrastructure (greater Norwich growth board Investment Fund) and oversee the management of the local infrastructure fund.
 - (f) Provide project management of investment programmes and monitor progress of delivery and spend including reviewing the programme risks and risk mitigation measures
 - (g) Secure the co-operation of the parties
 - (h) Identify, lobby for, secure and coordinate funds.

- (i) In future this may also include the formulation of future planning documents and the discharge for the duty to co-operate on planning matters.
8. Given that the economic landscape of City Deals and LEP Local Growth Deals is still evolving, the Board is proposed to be set up in a way which allows scope for these arrangements to develop and therefore needs to be flexible.

Local infrastructure fund

9. £20M borrowing was approved through the City Deal at reduced public works loan board rates. This is to establish a local infrastructure fund to be made available to developers of sites which have infrastructure constraints. The intention is to bring forward sites for development more quickly. The governance document in Appendix 4 sets out the process for operating this fund. The main principle is that forward funding in the form of a loan would be made available to developers to pay for upfront infrastructure works. This would be repaid with interest once the site is developed. The loan would be secured through a charge on the land title. The loan would operate on a revolving basis and may be used several times before being paid back to the government. Norfolk County Council is the accountable body for the fund and has made a commitment that it will underwrite the Local Infrastructure loans.

Greater Norwich Growth Board Investment Fund

10. The purpose of the Infrastructure Investment Fund is to deliver the capital programme of projects identified in the Joint core strategy (JCS) and the Local Investment Plan and Programme (LIPP). These include but are not restricted to:
- Norwich Area Transportation Strategy (NATS), including the NDR
 - Long Stratton Bypass
 - Schools
 - Green Infrastructure
 - Community Space
 - Libraries
 - Sports Provision
11. Norfolk County Council has been given the authority through the Greater Norwich City Deal agreement to borrow up to £60 million from the PWLB (at reduced rates of interest) to assist with the delivery of the LIPP. In the overarching governance, the Greater Norwich Growth Board has the authority to request Norfolk County Council to borrow on its behalf.

12. Broadland, Norwich City, South Norfolk and Norfolk County councils, and New Anglia LEP will produce a joint business plan that will include the infrastructure requirements across the three districts and will prioritise the projects to be delivered. The business plan will require prior approval by the council and will be revisited on an annual basis.
13. The GNPD has previously identified funding from a variety of sources including planning obligations under s.106 of the Town and Country Planning Act, Government departments and agencies and the Community Infrastructure Levy (CIL). Apart from CIL the other sources of funding can be aligned with specific projects. The funding will remain fluid as new sources will undoubtedly come on stream in future.
14. Current estimates are that there will be a funding gap for which PWLB financing can be used. Under current regulations only Norfolk County Council is permitted to borrow against the future income stream from CIL (in accordance with the CIL regulations).
15. In order to give assurance to Norfolk County Council, as the accountable body, that the CIL funding will be made available, the three local authorities will need to sign an agreement to pass over a proportion of CIL to Norfolk County Council or other accountable bodies (if different to Norfolk County Council). It is proposed that the contribution should exclude the neighbourhood and administration elements of CIL so the Council would retain 20% or 30% depending on whether there is a neighbourhood plan. (Cabinet considered a report in February 2014 about how the local community would be engaged about decisions for spending the neighbourhood element). The CIL income will be passed to the accountable body on a half yearly basis. The accountable body will invest the CIL income, in order to earn interest until such time that it is required. The interest will be invested in the projects as well. The Council will therefore receive the benefit of this investment in the City through the delivery of the projects in the business plan.
16. Current forecasts indicate that for the period to 2025/26 a total of £25.213M CIL income will be generated from development in Norwich (£18.91M if a 25% sensitivity is applied to take account of possible impact of changes to the CIL regulations). £20.17M (£15.128M, sensitised) would therefore be pooled, based on 80% of the projected income. This would mean that £5.043M (£3.781M, sensitised) is retained as neighbourhood funding and to cover admin costs. The amount retained would be in addition to the forecast residual sec 106 income that will be generated to 2025/6 of £5.558M. So in total the Council would retain £10.601M developer contributions in the period to 2025/6. This equates to a total of £815K pa. This compares with the level of historic S.106 expenditure of £232K pa on neighbourhood type infrastructure over the period from 2000 to 2014. (Historically the Council has been using about £473K pa S.106 income to pay for items of strategic infrastructure such as strategic transportation, open space, education, libraries which will in future be paid for through the pooled strategic infrastructure pot.)

Next Steps

17. The annual business plan, which will be developed and agreed by the constituent authorities and the LEP, will be a key document. The business plan will be brought to cabinet and council for approval in the early part of 2014/15.

Integrated impact assessment



NORWICH
City Council

Report author to complete

Committee:	Cabinet
Committee date:	05 February 2014
Head of service:	Andy Watt
Report subject:	Greater Norwich Growth Board Constitution
Date assessed:	20 January 2014
Description:	To agree the constitutional arrangements for the operation of the Greater Norwich Growth Board

Economic (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Finance (value for money)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Other departments and services e.g. office facilities, customer contact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ICT services	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Economic development	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Financial inclusion	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Social (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Safeguarding children and adults	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>S17 crime and disorder act 1998</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Human Rights Act 1998	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Health and well being	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Equality and diversity (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Relations between groups (cohesion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Eliminating discrimination & harassment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advancing equality of opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Environmental (please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Transportation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Natural and built environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Growth Board will provide a co-ordinated approach to the delivery of the growth agenda across Greater Norwich. The JCS has recognised that there will be an impact from development on the natural environment. The JCS also proposes various mitigation measures. However, the establishment of the Growth Board will not in itself have a direct impact on this factor.
Waste minimisation & resource use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Pollution	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Growth Board will provide a co-ordinated approach to the delivery of the growth agenda across Greater Norwich. The JCS has recognised that there will be an impact from development on the environment. The JCS also proposes various mitigation measures. However, the establishment of the Growth Board will not in itself have a direct impact on this factor.
Sustainable procurement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Energy and climate change	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Growth Board will provide a co-ordinated approach to the delivery of the growth agenda across Greater Norwich. The JCS has recognised that there will be an impact from development on the environment. The JCS also proposes various mitigation measures. However, the establishment of the Growth Board will not in itself have a direct impact on this factor.
(Please add an 'x' as appropriate)	Neutral	Positive	Negative	Comments
Risk management	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Recommendations from impact assessment				
Positive				
By providing a co-ordinated approach to growth the Greater Norwich Growth Board will have a positive impact on the economic and social wellbeing of the area.				
Negative				
Neutral				

Issues

Broadland District Council

and

Norwich City Council

and

South Norfolk Council

and

Norfolk County Council

and

New Anglia Local Enterprise Partnership

Joint Working Agreement

For the Creation of a

Greater Norwich Growth Board

THIS AGREEMENT is made the

day of

2014

BETWEEN

BROADLAND DISTRICT COUNCIL

AND

NORWICH CITY COUNCIL

AND

SOUTH NORFOLK COUNCIL

AND

NORFOLK COUNTY COUNCIL

THE NEW ANGLIA LOCAL ENTERPRISE PARTNERSHIP ("LEP")

WHEREAS

1. Broadland District Council, Norwich City Council, South Norfolk Council and Norfolk County Council are the Local Authorities for the Greater Norwich area. New Anglia LEP is the Local Enterprise Partnership for Norfolk and Suffolk.
2. The afore-mentioned Local Authorities and the Local Enterprise Partnership are hereafter referred to as **'the parties'**
3. The parties have agreed to work together to establish a Greater Norwich Growth Board overseeing the delivery of the Greater Norwich Growth Programme.
4. The parties intend that such arrangements for the Greater Norwich Growth Board shall be an effective mechanism for joint management of the Greater Norwich Growth Programme.

IT IS HEREBY agreed as follows:-

1 Interpretation

- 1.1 In this Agreement unless the context otherwise requires the following expressions have the following meanings:-

"The Agreement" means this Agreement comprising the terms and conditions together with the Schedules hereto.

"The Commencement Date" means the date on which this Agreement is executed by the parties.

"The Constitution" means the constitution of the Greater Norwich Growth Board as set out in Schedule A to this Agreement.

"The GNGB Board" or **"Board"** means the representatives of the parties appointed to the Board.

"Programme" means the Greater Norwich Growth Programme developed by the GNGB in accordance with this Agreement as approved annually by Broadland District Council, Norwich City Council, South Norfolk Council, Norfolk County Council and the LEP.

"SEP" is the New Anglia Strategic Economic Plan that sets out the economic vision for Norfolk and Suffolk until 2025.

"City Deal" is the agreement signed in December 2013 between central government and the parties.

- 1.2 Reference to any statute or statutory provision includes a reference to that statute or statutory provision as from time to time amended extended or re-enacted.
- 1.3 Words importing the singular include the plural, words importing any gender include every gender, words importing persons include bodies corporate and unincorporated; and (in each case) vice versa.
- 1.4 Reference to Clauses and Schedules are references to clauses and schedules of this Agreement and any reference to a sub provision is unless otherwise stated a reference to a sub provision of the provision in which the reference appears.
- 1.5 The Clause and paragraph headings and titles appearing in this Agreement are for reference only and shall not affect its construction or interpretation.

2 Term

- 2.1 This Agreement shall come into effect on the Commencement Date and shall continue in force in respect of the parties until such time as the parties so agree, unless this Agreement is terminated earlier in accordance with its terms.
- 2.2 Should one or more of the parties wish to leave the Greater Norwich Growth Board then they can do so. However the following will apply:
 - 2.2.1 Local authorities can only leave the Greater Norwich Growth Board on the 31 March each year.
 - 2.2.2 At least one calendar year's notice must be given in writing of the wish to leave. This timeframe recognises that there may be a need to organise other funding streams.
 - 2.2.3 When a local authority wishes to leave, the costs and funding of projects which have been attributed to them, including on-going

costs of borrowing will be calculated as at the date of exiting. The party/parties will have to repay any excess funding they have received along with their contribution of any on-going costs of borrowing. Should a situation arise where a local authority has made a larger contribution the Greater Norwich Growth Board will repay the party/parties, in some cases this may necessitate borrowing by Norfolk County Council to raise the funds.

3 General Principles

- 3.1 This Agreement has been entered into by the parties to establish a Greater Norwich Growth Board comprising representatives of each of the parties.
- 3.2 The parties will work together in good faith and in an open, co-operative and collaborative manner for the duration of this Agreement. The parties' members and officers will work together in the spirit of mutual trust in order to endeavour to procure the successful implementation of the Greater Norwich Growth Programme.
- 3.3 Board meetings will be held in public providing an open forum for debate and decision.
- 3.4 All Board papers, technical reports that support decision making and scheme business cases will be made publicly available, including publication on a suitable website.
- 3.5 Clear policies on conflict of interest and hospitality will be adopted by the Board.
- 3.6 The parties and the Board shall comply with The Code of Recommended Practice for Local Authorities on Data Transparency.
- 3.7 Costs associated with the Board, (including all administrative and secretarial support) and any costs incurred by any member of the Board on behalf of the Board (having been approved beforehand by the Board), shall be shared equally between the parties. Members expenses/allowances for attending Board meetings will be met by the individual parties.

4 Status of this Agreement

- 4.1 The parties agree that this Agreement shall take the form of a legally binding contractual relationship and shall from the Commencement Date be construed accordingly.

5 Greater Norwich Growth Board - Representation

- 5.1 The parties agree to constitute the Board to discharge its functions on the terms set out in the Constitution.

- 5.2 In appointing a representative to the Board, Broadland District Council, Norwich City Council, South Norfolk Council and Norfolk County Council will, unless there are overriding reasons to the contrary, appoint as their representatives, a member of the cabinet (or equivalent for Norfolk County Council) of each Authority. The LEP shall appoint, so far as possible, a business representative who is not an elected representative of a local authority.
- 5.3 Insofar as any representative requires authority from his/her appointing body to attend and take part in the meetings of the Board and in any decisions required of the Board, **in accordance with the Business Plan**, each party hereby confirms that it has delegated all such powers to its appropriate representative (or equivalent for Norfolk County Council) or otherwise authorised such action.
- 5.4 The parties agree to keep the membership of the Board under review and to consider from time to time the addition of other bodies or organisations who may contribute to the achievement of the aims and objectives of the Board. Any changes to the membership or constitution shall only be by agreement of all the parties.

6 Functions of the Greater Norwich Growth Board

- 6.1 The functions of the Greater Norwich Growth Board include the following:
- *To provide strategic direction, monitoring and coordination of both the city deal and wider growth programme for the Greater Norwich area. It will have representation on, and links with, the Business Growth Programme Operational Board and the Employment and Skills Strategy Board*
 - *Implement an annual Greater Norwich Growth Programme (business plan) agreed by the parties*
 - *To take account of the New Anglia LEP Strategic Economic Plan and the Greater Norwich City Deal and ensure alignment with the Programme*
 - *Monitor progress of delivery and spend including reviewing the programme risks and risk mitigation measures*
 - *Secure the co-operation of all parties*
 - *Identify, lobby for, secure and coordinate funds*
 - *Receive reports/recommendations from the Greater Norwich Strategic Planning Group as and when required*

7 Greater Norwich Growth Programme

- 7.1 Broadland District Council, Norwich City Council, South Norfolk Council, Norfolk County Council and the New Anglia LEP shall develop and approve the Greater Norwich Growth Programme.

- 7.2 The Programme will be assessed annually. The annual Programme will set out the financial implications for income and expenditure for the forthcoming year; the cumulative financial impact of funding decisions on the Programme given funding and borrowing commitment from earlier years; and will take account of the long-term financial implications for the end of the programme period i.e. 2026.
- 7.3 The Councils will approve the Greater Norwich Growth Programme at least annually. The Programme shall be published on a suitable website.

DRAFT

IN WITNESS hereof the parties hereto have executed this Agreement as a Deed the day and year first written

The Common Seal of Broadland)
District Council was affixed hereto)
in the presence of the undersigned)
authorised signatory)

Authorised Signatory

The Common Seal of Norwich)
City Council was affixed hereto)
in the presence of the undersigned)
authorised signatory)

Authorised Signatory

The Common Seal of South Norfolk)
Council was affixed hereto in the)
presence of the undersigned)
authorised signatory)

Authorised Signatory

The Common Seal of Norfolk)
County Council was affixed hereto)
in the presence of the undersigned)
authorised signatory)

Authorised Signatory

Signed as a Deed by the Local)
Enterprise Partnership)

Director

Director/Secretary

Schedule A

Greater Norwich Growth Board

Constitution

This Constitution has been approved by Broadland District Council, Norwich City Council, South Norfolk Council, Norfolk County Council, and New Anglia Local Enterprise Partnership ("the parties") as the Constitution of the Greater Norwich Growth Board.

1 Establishment of the Greater Norwich Growth Board

- 1.1 The Board shall discharge the functions of the Greater Norwich Growth Board in the manner set out in this Constitution.

2 Objectives

- 2.1 The functions and objectives of the Greater Norwich Growth Board are as set out in paragraph 6 of the Joint Working Agreement.

3 Membership and Appointment of the Board of the Greater Norwich Growth Board

- 3.1 The Board shall comprise 5 members, one being appointed by each of the parties. In appointing representatives to the Board, Broadland District Council, Norwich City Council, South Norfolk Council and Norfolk County Council will, unless there are overriding reasons to the contrary, appoint as its representative a member of the cabinet (or equivalent for Norfolk County Council) of the Authority. The LEP shall appoint, so far as possible, a business representative who is not an elected representative of a local authority.
- 3.2 All appointments to membership of the Board shall be made by notification in writing from the Chief Executive of the appointing Party.
- 3.3 Each Party may appoint an alternate (or substitute) member (based on the scheme of substitution of each of the parties) of the Board.
- 3.4 Membership of the Board shall cease in the event that the member ceases to be a member of his/her Authority or the LEP.

4 Chair and Vice-Chair of the Board

- 4.1 At the first meeting of the Board and thereafter at its annual meeting the Board shall elect a Chair and Vice Chair from among its members on a rotating basis.
- 4.2 The Chair and Vice Chair should not be from the same appointing body and will serve for a 12 month period or when
- 4.2.1 A new Chair is elected in accordance with Paragraph 4.1 above,
- 4.2.2 He/she ceases to be a member of the Board, or
- 4.2.3 He/she resigns from the office of Chair or Vice-Chair.
- 4.3 Where a casual vacancy arises in the office of Chair or Vice-Chair of the Board, the Board shall at its next meeting elect a Chair.
- 4.4 Where, at any meeting or part of a meeting of the Board, both the Chair and Vice Chair are absent or unable to act as Chair the Board shall elect one of the local authority members to preside for the whole or the balance of that meeting.

5 Secretary to the Board

- 5.1 The Secretary shall be an officer of the appointing body of the Chair appointed by the Board for this purpose.
- 5.2 The Secretary shall support the Board.
- 5.3 The functions of the Secretary shall be -
- To maintain a record of membership of the Board.
 - To maintain the Forward Plan.
 - To summon meetings of the Board in accordance with paragraph 6 below.
 - To prepare and send out the agenda for meetings of the Board in consultation with the Chair and the Vice-Chair.
 - To keep a record of the proceedings of the Board.
 - To take such administrative action as may be necessary to give effect to decisions of the Board.
 - Such other functions as may be determined by the Board.
 - Maintain a register of Board member interests.

6 Convening Meetings of the Board

- 6.1 Meetings of the Board shall be held at such times, dates and places as may be notified to the members by the Secretary being such time, place and location as -

- 6.1.1 the Board shall from time to time resolve
- 6.1.2 the Chair of the Board or if he/she is unable to act, the Vice-Chair, shall notify to the Secretary, or
- 6.1.3 the Secretary in consultation where practicable with the Chair and Vice Chair shall determine in response to receipt of a request in writing addressed the Secretary -
- from and signed by any member of the Board, or
 - from the Chief Executive of any of the parties
- which request sets out an urgent item of business within the functions of the Board.
- 6.1.4 the Secretary shall settle the agenda for any meeting of the Board after consulting with the Chair.

7 Procedure at Meetings of the Board

- 7.1 The Board shall, unless the member presiding at a meeting determines otherwise, conduct its business in accordance with the Rules of the Council in whose premises the meeting is held except insofar as may be specified to the contrary in this Constitution.
- 7.2 A meeting of the Board shall be inquorate and shall not be able to discharge any business unless all members of the Board are present.
- 7.3 Decisions and recommendations of the Board shall be unanimous.
- 7.4 The Board shall comply with The Code of Recommended Practice for Local Authorities on Data Transparency.

8 Attendance at Board Meetings

- 8.1 The following are the officers who shall have a right of attendance
- the Chief Executive of any of the parties, or their representative
 - the Chief Finance Officer of the parties, or their representative
 - the Monitoring Officer of the parties, or their representative
 - the officers of each party required to advise the board on specific matters included on the agenda
- 8.2 Notwithstanding that a meeting or part of a meeting of the Board may not be open to the Press and public, the officers specified in Paragraph 8.1 above of each appointing Party shall be entitled, in person or by another officer nominated by that officer, to attend all, and all parts, of

such meetings, unless the particular officer has a conflict of interest as a result of a personal interest in the matter under consideration.

8.3 The meetings of the GNGB will be held in public.

9 Register of Interests and Conflict of Interest

9.1 The Secretary shall maintain a register, available for public inspection, containing a record of the relevant interests of each of the members of the Board. In determining whether an interest should be declared and recorded the principles set out in the **[Local Government Code of Conduct]** shall apply.

10 Amendment of this Constitution

This Constitution can only be amended by agreement of all the parties.

Comments of scrutiny committee

On the 24 October 2013, the scrutiny committee carried out a pre-cabinet review of the proposal to establish a Greater Norwich Growth Board. As shown in the following recommendations, the discussion ranged from the membership and role of the board (which is the subject of this report) to detail around the possible constitution and operating arrangements, which will be the subject of a subsequent report to cabinet.

Scrutiny committee resolved that the following points be taken forward for cabinet consideration:

- a) To note that the scrutiny committee welcomed that the meetings of the greater Norwich growth board would be held in public and would be subject to a consensus,
- b) To ask that all local authorities were represented when decisions were made, possibly by raising the quorum of the meetings from three to five,
- c) That the growth board processes allow adequate time for the scrutiny of decisions made and for the cabinet to respond, and at the appropriate time, to detail the input of scrutiny arrangements and the pre-scrutiny of constitutional arrangements,
- d) To request that the public be able to ask questions at the meetings of the board
- e) To note the concerns raised by some members that a small number of people were responsible for large amounts of money and their regret that this money would go through the LEP which was an unelected body,
- f) To ask that the annual business plan goes to full council or cabinet, whichever is most appropriate
- g) To recommend that stakeholders were consulted at every possible opportunity and that appropriate consultation was carried out as the business plan was drawn up
- h) To recommend that the greater Norwich growth board be constituted in a way that complied with the Aarhus convention (see appendix 3 for a brief overview of the scope of the convention)
- i) To ask that the scrutiny committee were given all possible information on the business plan

Finally the chair asked that scrutiny members send any further comments to the scrutiny officer for collation. Any additional observations received will be reported orally at the cabinet meeting.

Aarhus Convention

The Aarhus Convention establishes a number of rights of the public (individuals and their associations) with regard to the environment. The Parties to the Convention are required to make the necessary provisions so that public authorities (at national, regional or local level) will contribute to these rights to become effective. The Convention provides for:

- the right of everyone to receive environmental information that is held by public authorities ("**access to environmental information**").
- the right to participate in environmental decision-making. ("**public participation in environmental decision-making**");
- the right to review procedures to challenge public decisions that have been made without respecting the two aforementioned rights or environmental law in general ("**access to justice**").

Greater Norwich Growth Board Local Infrastructure Fund Governance – **DRAFT G**

Establishment of a Local infrastructure Fund

Upfront funding for onsite infrastructure can be a barrier to the creation of new jobs and homes. Across Greater Norwich there is planning consent for some 10,000 dwellings (July 2013) where development has not got started.

The City Deal signed in December 2013 gives City Deal partners the ability to borrow £20 million from the Public Works Loan Board at the project rate discount to establish a Local Infrastructure Fund. This fund will provide loans to developers for site specific help to enable development sites to be delivered quickly, and will be managed on a rolling basis. The overall fund has been established from 1 November 2013 to end March 2026.

This fund will be used to support infrastructure required to open up sites for housing or employment development.

The Allocation

As set out in the HMT letter (December 2013) a Local Infrastructure Fund of up to £20 million will be established through borrowing from the Public Works Loan Board (PWLb) by Norfolk County Council on behalf of the Greater Norwich Growth Board. Borrowing will be undertaken to finance individual schemes for specified periods. All schemes will be assessed by the Greater Norwich Growth Board and the organisation named in the Business Case will be required to enter into a legal contract with Norfolk County Council, the Accountable Body for the funding.

The Local Infrastructure Fund is to provide forward funding to pump prime essential public work infrastructure required to unlock developments which have otherwise stalled thereby realising significant sustainable growth in jobs, homes and commercial builds.

All schemes must complete the Business Case template; successful schemes will be allocated funding, up to a maximum of £5 million, which will be subject to interest charges, not less than the PWLB rate at which Norfolk County Council has borrowed at for this scheme. Formal agreements will be required for each scheme. Loan agreements must be secured (Registered Charges), and applicants will be required to confirm the collateral available to underpin the investment including the legal charge over the scheme and the terms of the legal charge. Repayment timelines for each scheme may vary, but loans must be repaid within 5 years.

The Local Infrastructure Fund will be a revolving fund with repayments of loans being reinvested in future schemes; however the total value of all outstanding loans will not exceed £20 million at any point in time.

Greater Norwich Growth Board Local Infrastructure Fund Governance – **DRAFT G**

Fund Objectives

The objectives of the Local Infrastructure Fund are:

1. To establish a revolving fund so that funding can be reinvested to unlock further development and leverage private sector investment on developments.
2. To target and bring forward those development sites which require short-term funding support.
3. To support schemes that may not otherwise go ahead because of the requirement for up-front infrastructure investment.
4. To generate economic activity in the short term by addressing immediate infrastructure and site constraints and promote the delivery of jobs, housing and commercial developments.

Eligibility Criteria

All potential schemes must meet the following criteria:

- Schemes must be for capital investment (not revenue).
- Schemes must contribute to the objectives of the Local Infrastructure Fund.
- Schemes must be within the Greater Norwich Growth Board area.
- Schemes will need to demonstrate that the investment addresses a funding shortfall that cannot be met by other means.
- Schemes will need to demonstrate that there are no barriers or constraints in relation to land ownership, planning and other approvals and that other funding is in place to enable the development to get underway.
- Loans must be repaid within 5 years and loans will be secured.
- Schemes must be State Aid compliant.
- Schemes must demonstrate that the loan will result in unlocking and bringing forward development

State Aid

Can be covered in the supporting Business Case

For the schemes to not qualify as State Aid they must demonstrate that the infrastructure to be funded is open access infrastructure intended to benefit the whole community (e.g. roads, footpaths, sewers, drains, landscaping etc.) and considered to be open and accessible to all potential users.

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Selection Process (Flowchart Appendix A)

The Greater Norwich Infrastructure Delivery Board will make an initial call for schemes from April 2014. Schemes submitted will need to complete the application proforma (Appendix B [to be prepared]) which will be subject to an initial evaluation against the eligibility criteria, described above, by the Greater Norwich Infrastructure Delivery Board in order to agree a short-list of schemes to take forward for formal evaluation.

Norfolk County Council will request a full Business Case (Appendix C [to be prepared]) and **Norfolk County Council or appointed independent financial appraiser** will carry out a detailed assessment and a financial appraisal of the schemes short-listed by the Greater Norwich Infrastructure Delivery Board.

Following this assessment and financial appraisal the Greater Norwich Infrastructure Delivery Board will recommend schemes to the Greater Norwich Growth Board. A consensus will be required on each scheme in order for it to be recommended to the Board.

The Greater Norwich Growth Board will assess all schemes recommended against a formal framework and the results of the financial appraisal which will include:-

- Speed of delivery i.e. has planning consent already been obtained
 - Number of jobs being created, including construction phase and follow on permanent jobs
 - Number of homes accelerated i.e. delivered early as a result of the loan
 - Prospect of additional growth arising from individual scheme
 - The individual project within the existing projects being delivered through the Greater Norwich Infrastructure Delivery Board
 - The overall funds available within the Local Infrastructure Fund
 - The strategic fit of the schemes against the existing projects being delivered by all three boards; Business Growth Programme Operational Board, Employment and Skills Strategy Board and the Greater Norwich Infrastructure Delivery Board to ensure any project agreed contributes to the strategic direction of the wider growth programme.
 - Value of the scheme being delivered in relation to the funding required.
 - Financial viability of the scheme
 - Security of the loan
 - Risks around the individual scheme
 - Other public or private sector leverage i.e. external funding which is being brought into the geographic area
-

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Any renegotiation of loans will be notified by Norfolk County Council to the Greater Norwich Infrastructure Delivery Board who will propose the appropriate course of action and advise the Greater Norwich Growth Board for a decision. The decision will be communicated to the Borrower by Norfolk County Council as the Accountable Body.

Further calls for schemes will be made if there is any unallocated funding after the initial round has been completed. Schemes that are unsuccessful in the first round may be supported by the Local Infrastructure Fund in the future, once the revolving fund is more established.

Future calls will be dependent upon the repayment profile of loans which have been issued.

Timetable

Date	Action
	Initial call for schemes
	Closing date for schemes to be submitted with application proforma (Appendix B – [to be prepared])
	The Greater Norwich Infrastructure Delivery Board meets to approve schemes to be shortlisted
	Norfolk County Council requests full Business Case for schemes (Appendix C – [to be prepared]) Norfolk County Council OR appointed independent appraiser to carry out due diligence and a financial appraisal of each scheme shortlisted
	The Greater Norwich Infrastructure Delivery Board makes a recommendation of schemes to be considered by the Greater Norwich Growth Board
	The Greater Norwich Growth Board agrees first funding allocations
	The Greater Norwich Infrastructure Delivery Board notifies successful schemes and makes the funding offer

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Formal Agreements & Authorisation (Administered by Norfolk County Council)

Prior to funding being drawn down for each scheme a loan agreement must be signed by:

- Norfolk County Council representing the Greater Norwich Growth Board
- The borrower
- Any parent group/company/companies who own the assets which are being held for security.
- Any existing charge-holders on the securitised assets who have agreed the Local Infrastructure Fund legal charge for the loan

The agreement will as a minimum include:

- Name and Address of the Borrower
- Name and Address of any parent group/company/companies who own assets which are being held for security
- Name and Address of any existing charge-holders on the securitised assets
- Company registration number
- Purpose of the loan
- Details of how the loan will be secured (a first legal charge over the land and buildings or other assets) as part of the agreement
- The value of the loan
- Term and repayment profile of the loan
- Early repayment terms
- Interest to be applied to the loan
- Arrangement and administration fee
- Financial Covenants
- Conditions Precedent

Borrowers will be required to inform the Greater Norwich Infrastructure Delivery Board via the Programme Manager should they no longer require the loan or if there are any changes which impact on the scheme and the agreed borrowing. The Greater Norwich Infrastructure Delivery Board will inform Norfolk County Council who will then cease work on the loan agreements.

Any renegotiation of existing loans, once agreed by the Greater Norwich Growth Board will be actioned by Norfolk County Council in accordance with

Greater Norwich Growth Board Local Infrastructure Fund Governance – **DRAFT G**

the governance of the scheme and the Council's monitoring and reporting processes.

Availability of Loans (Administered by Norfolk County Council)

For each scheme the loan will be available in tranches, with a minimum value of £100,000 each tranche. The Borrower shall provide a minimum of 14 days' written notice to Norfolk County Council when funds are required. The total number of tranches shall not exceed 50, with the maximum loan available being £5 million.

Tranche Draw Down

1. Each tranche shall be drawn down against certified construction valuations completed by a qualified Quantity Surveyor who will be appointed by the Borrower; however Norfolk County Council reserves the right to have the valuations independently verified at the Borrower's cost.
2. The amount of each drawdown shall be calculated as a proportion of the total value of the Quantity Surveyor certificate, with such proportion calculated to be equal to or less than the relative value of the loan compared to the total construction costs for the individual development.

Interest Rates & period of borrowing from the PWLB (Administered by Norfolk County Council)

Interest rates payable by Norfolk County Council who are borrowing on behalf of the Greater Norwich Growth Board will be determined by the prevailing rate on the day of borrowing and by the length of loan agreed for the particular scheme being financed.

The interest rate payable by Norfolk County Council will be passed onto the agreed scheme plus X base point. The X base point will cover the administration cost of running the Local Infrastructure Fund.

[NOTE: We need to model £5m over 5years to assess impact and agree the margin plus take account of any State Aid issues]

Interest will be calculated on a daily basis on the balance of the loan at the end of each day.

Repayments will be credited to the account on the day cleared funds are received by Norfolk County Council. Compound interest will be charged by Norfolk County Council if interest remains unpaid after it falls due.

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Repayments to the Fund (Administered by Norfolk County Council)

Repayment profiles will be agreed with developers on an individual scheme basis, as part of the loan agreement, to assist the Developer with cashflow and to deliver agreed phases within the development. Repayments will be made to Norfolk County Council.

Early settlement of the loan is permitted. A discount may be permitted depending upon the ability to recycle the Local Infrastructure Fund money and the refinancing of the PWLB debt at the time of early repayment. Early settlement will be as per the loan agreement and terms of the loan.

The Borrower shall be responsible for all reasonable fees, costs and expenses incurred by Norfolk County Council in making the loan available, monitoring or valuing the security, obtaining any other additional information required and recovering all amounts outstanding whether or not the loan is taken.

Security (Administered by Norfolk County Council)

As part of the loan agreement, each scheme will need to confirm what collateral is available to support this investment including a legal charge over property and the terms.

In the case that a first charge is not available collateral warranties will be provided by the borrower and may include a step-in clause.

Financial Covenants for each scheme (Administered by Norfolk County Council)

Loan to Value (LTV):

The loan shall never exceed of 70% of the total value of the security held by Norfolk County Council.

Interest Cover:

Annual interest costs for the loan will be assessed and specified in the loan agreement.

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Conditions Precedent:

1. Satisfactory due diligence carried out by Norfolk County Council on the finances of the Borrower and any parent company/companies.
2. Planning decision notices and any building regulations consents must be granted for the development.
3. Professional valuation of the security instructed by and acceptable to Norfolk County Council.
4. Independent appraisal of the estimated build costs instructed by and acceptable to Norfolk County Council prior to the loan being provided to the Borrower.
5. Norfolk County Council has obtained any related collateral warranties and step in rights.
6. Comprehensive project cashflow to include projected tranche draw down requirements.
7. Norfolk County Council reserves the right to appoint a monitoring surveyor, which will be at the Borrower's cost.

Post Completion:

1. Property Insurance - The new development to be insured to Norfolk County Council's entire satisfaction at all times, with Norfolk County Council being a named interest on the insurance policy. Evidence of payment of the insurance premium and a copy of the insurance certificate to be provided annually to Norfolk County Council for the duration of the loan on both the development and any other assets which Norfolk County Council holds as security for the Loan.
2. There shall be no transfer of ownership of the Borrower (or parent company/companies) or the security held by Norfolk County Council in respect of this loan, nor any changes to the Borrower's (or parent company/companies) corporate structure, without Norfolk County Council's express consent, such consent not to be unreasonably withheld.
3. Audited financial statements for the Borrower (or parent company/companies) will be provided to Norfolk County Council in accordance with the loan agreement.

Monitoring & Reporting

Norfolk County Council will produce monitoring reports for the Greater Norwich Infrastructure Delivery Board on a monthly basis. The reports will include as a minimum the following for each scheme:

- Details of each scheme
 - The total agreed value of the loan
 - How much has been drawn down
 - How much of the loan is still to be drawn down
 - The interest rate for the loan which is to be paid by the Developer
-

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- The PWLB rate which has been agreed for the funding to support the Fund
- The start date & final repayment date
- The length of the loan in months
- The amount outstanding which is still to be repaid by the Borrower (loan outstanding plus interest payable)
- Notification of any risk of default
- Notification of any renegotiation of terms of the current loan

Details of any sum remaining in the Local Infrastructure Fund which is available to lend.

Special Meeting of the Greater Norwich Infrastructure Delivery Board

Norfolk County Council can call a special meeting of the Greater Norwich Infrastructure Delivery Board in the following circumstances:

- Request by a Borrower for a re-negotiation of an existing loan
- Request by a Borrower for early repayment of an existing loan and an application for a discount
- Imminent risk or actual default by a Borrower of an existing loan
- Sufficient surplus funds within the Local Infrastructure Fund to warrant a call for schemes prior to the next meeting of the Greater Norwich Infrastructure Delivery Board

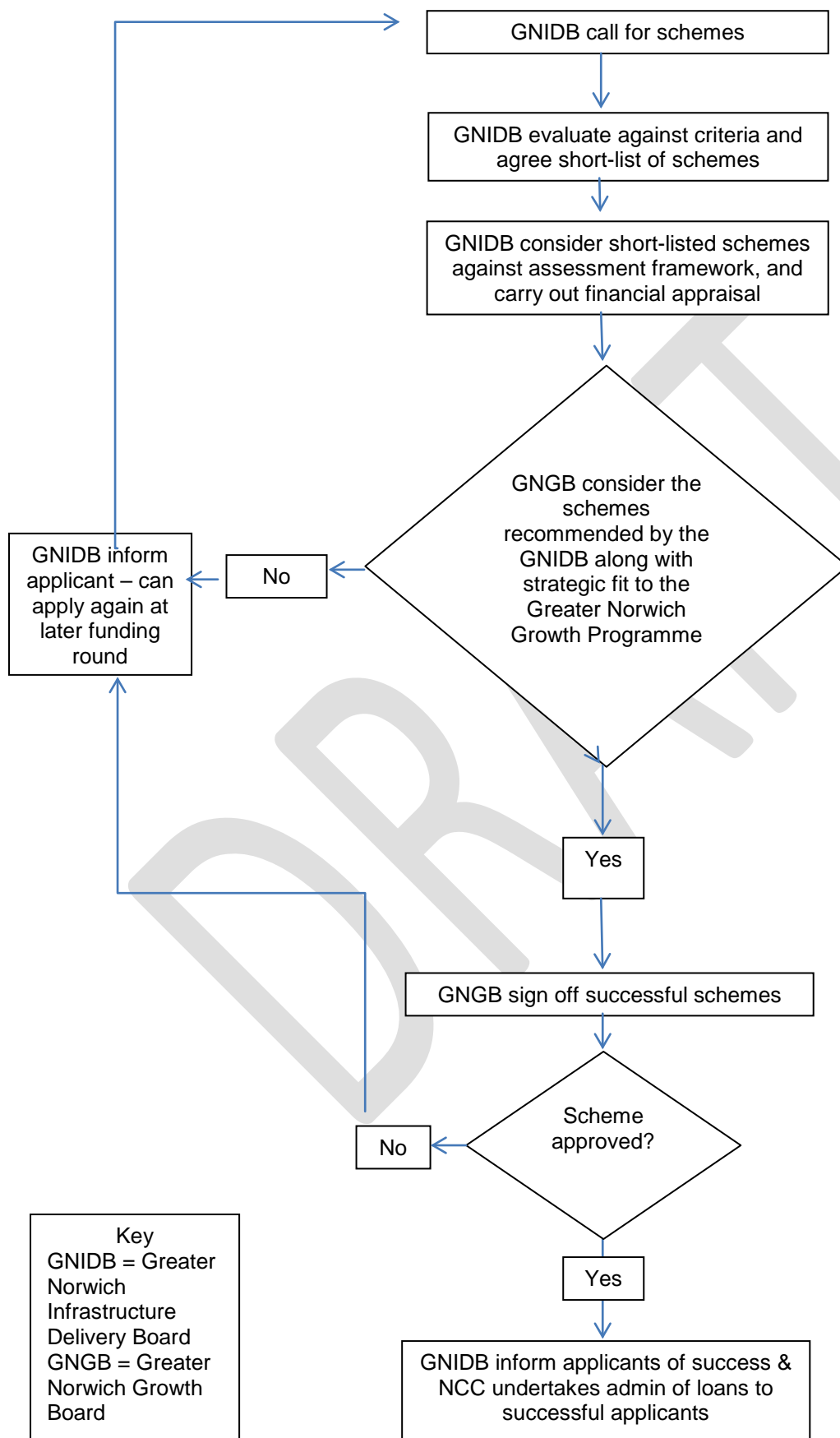
Norfolk County Council must give at least 7 days' notice of the special meeting and the reason(s) why it has been called. The special meeting shall be carried out in accordance with the governance arrangements of the Greater Norwich Infrastructure Delivery Board.

Defaults on Loans

Norfolk County Council will underwrite both the PWLB loans and the Local Infrastructure loans. In the case of default, Norfolk County Council as the accountable body will lodge the relevant claim and pursue the sale of assets on which the charge to secure the loan has been placed (in accordance with the security set out in the loan agreement).

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Appendix A



Greater Norwich Growth Board
Infrastructure Investment Fund Programme Governance – **DRAFT F**

Purpose

The purpose of the Infrastructure Investment Fund is to deliver the capital programme of projects identified in the Joint Core Strategy (JCS) and the Local Investment Plan and Programme (LIPP). These include but are not restricted to:

- Norwich Area Transportation Strategy (NATS), including the NDR
- Long Stratton Bypass
- Schools
- Green Infrastructure
- Community Space
- Libraries
- Sports Provision

It is estimated that this represents approximately £440 million of investment over a fifteen year duration (the figures are based on the current cost of these projects as presented to HMT as part of PWLB agreement). The project profile will be updated through the agreed business plans and managed by the Greater Norwich Growth Board.

Management of the Infrastructure Investment Fund

The decision on the timing and delivery of the projects will be determined by the Greater Norwich Growth Board, who will ensure the co-ordination between projects being delivered by the Strategic Infrastructure Investment Fund and those being delivered by the Local Infrastructure Fund. They will also ensure the wider synchronization of Infrastructure projects alongside the other two key strands of the City Deal programme, namely Skills and Business Support.

Norfolk County Council has been given the authority through the Greater Norwich City Deal agreement to borrow up to £60 million from the Public Works Loan Board (PWLB) to assist with the delivery of the LIPP.

In the overarching governance, the Greater Norwich Growth Board has the authority to request Norfolk County Council to borrow on its behalf.

Delivery of the Infrastructure Investment Fund

Greater Norwich Growth Board Infrastructure Investment Fund Programme Governance – **DRAFT F**

The implementation of the agreed programme of projects will be through the Greater Norwich Growth Board. The Board will use the joint business plan to determine the programme of projects for the forthcoming year and the next five years and the timeline for delivery. This Board will decide how each project will be delivered and the appropriate accountable body for delivery of each project.

Process for determining the timing of the delivery of projects

Broadland, Norwich City, South Norfolk and Norfolk County Councils, and New Anglia LEP will produce a joint business plan that will take account of the requirements across the three districts and will prioritise the projects to be delivered in the whole area as well as the geographical area for their council. The joint business plan will require prior approval by the Councils and the LEP.

The Greater Norwich Growth Board will report annually on the progress of each project by the 1 June, this information will assist the Councils' annual review of the joint plan. Any changes which the Councils wish to see will be reflected in the revised joint business plan which will be submitted to the Greater Norwich Growth Board.

The joint business plan will be reviewed by each Council on an annual basis with any agreed changes being fed through to the programme setting process by the Greater Norwich Growth Board. The approval by each Council of the joint business plan will be completed annually by the 30 September

Criteria for prioritisation

To assist the Greater Norwich Growth Board in determining the order of priority and to manage the annual delivery, projects will be assessed against set criteria. These criteria will include:

- **Projects which are already in progress.** Projects which are in progress that can demonstrate certainty of delivery, will take precedence over any new projects. Any changes in cost and timescale will be taken into account.
- **The funding of the individual projects.** Where projects are being funded by central government or European funding then this may determine the timing of their delivery.
- **The impact of the delivery of the individual project in terms of jobs, housing and economic growth.** Those projects which contribute a higher level of these will need to be delivered sooner, having taken any constraints into account such as planning permissions, external funding, co-reliance of other on-going projects etc.

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- Criteria to assess the prioritisation/authorisation of the projects is agreed and in place as set out in the Local investment Plan and Programme.
- The integration of this programme with those projects being delivered through the Local Infrastructure Fund and the other two strands of the City Deal.
- The funding of the programme and how the timing of individual projects will impact on the requirement to borrow. The Greater Norwich Growth Board will need to balance the delivery of the projects with the cost of borrowing.

The Greater Norwich Growth Board will determine the programme for the forthcoming year by the 31 December together with the accountable body for each project. Unless there is good reason Norfolk County Council will be the (financial) accountable body. The body taking responsibility for procuring and delivering the project will be assessed as part of the programme.

Funding of agreed programme & Community Infrastructure Levy (CIL)

The GNDP has identified funding from a variety of sources including planning obligations under s.106 of the Town and Country Planning Act, Government departments and agencies and the Community Infrastructure Levy (CIL). Apart from CIL the other sources of funding can be aligned with specific projects.

The funding remains fluid as new sources are identified or can be applied for as projects are commenced.

Current estimates are that there will be a funding gap for which PWLB financing can be used. Under current regulations only Norfolk County Council are permitted to borrow against the future income stream from CIL (in accordance with the CIL regulations). Under the City Deals agreement a lower rate of borrowing has been agreed from the PWLB for borrowings up to £60 million.

In order to give assurance to Norfolk County Council, as the accountable body, that the CIL funding will be made available, the three local authorities will sign an agreement to pass over their contribution to Norfolk County Council or other accountable bodies (if different to Norfolk County Council). It is recognised that the CIL may be used to repay borrowing undertaken by Norfolk County Council on behalf of the Greater Norwich Growth Board for the delivery of the LIPP.

The local authorities will pass CIL over to the accountable body on a half yearly basis. The accountable body will invest the CIL income, in order to earn interest until such time that it is required. The interest will be invested in the projects as well.

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In accordance with the CIL legislation, Norwich City Council, Broadland or South Norfolk District Councils deduct up a maximum of 5% of the CIL to cover administration costs, such as invoicing and collection of CIL

The relevant percentage of CIL which is required to be paid over to the Parish/Town Council in Broadland and South Norfolk is dependent upon whether there is a Neighbourhood plan in place. As Norwich is un-parished the community element of CIL (15%) will held and managed by the City Council. The remaining balance of CIL from each local authority will be designated for infrastructure investment, identified in the long-term capital programme to 2026.

Profiling of spend v funding

It is essential that the Greater Norwich Growth Board consider the cost of borrowing when agreeing the programme of projects, as this will need to be paid from CIL income.

Funding will be allocated to projects on the following basis and in this order:

- Funding which has been provided specifically to that project
- The CIL funding will then be spread pro-rata annually (as a percentage of the outstanding funding requirement for each project) across the projects so that if there is a shortfall, the cost of borrowing is then attributed across these projects as well.

It is important to establish the method funding is allocated to individual projects so that it is clear the amount of borrowing (if any) that is being used to fund individual projects. This will be important should any of the local authorities wish to exit the agreement in future years.

Commissioning of projects

Once the Greater Norwich Growth Board has agreed the programme of projects then the Greater Norwich Infrastructure Delivery Board will commission the work required to deliver the project in accordance with the County or accountable body's rules of financial governance and contract standing orders.

Monitoring & Reporting of projects

The Accountable Body will report monthly to the Greater Norwich Infrastructure Delivery Board on the progress of its individual projects in accordance with the signed-off contract/delivery timeline. This reporting will include as a minimum:

Greater Norwich Growth Board Infrastructure Investment Fund Programme Governance – **DRAFT F**

- Progress against the agreed project plan including milestones
- Progress against the agreed budget, including justification for variances and slippages;
- Where there are slippages on programmes, how these will be addressed and potential impact on overall delivery of the programme;
- Major risks and their mitigation
- Communication plans around the progress and delivery of projects to the public so there is no confusion between the members of the Greater Norwich Growth Board on the message being told.

The reporting must highlight any variations in terms of timescale, costs, resources and funding.

The Greater Norwich Infrastructure Delivery Board will report regularly to the Greater Norwich Growth Board on all projects and highlight those which are not being delivered as agreed. Where issues arise then the Greater Norwich Growth Board have the authority to reprioritise the programme of projects. This includes:

- Bringing projects forward where other projects have been delayed.
- Delaying forthcoming projects to enable funding to be reassigned to existing projects whose costs have increased.
- Requesting Norfolk County Council to borrow to pay for unexpected increases in costs for projects already underway.
- Stopping projects should the need arise.

It has been agreed through the City Deals that the four local authorities, in their reporting requirements for the use of CIL, will not have to comply with the requirement to report at individual project level the amount of CIL which they have individually utilised. Instead the authorities can state the amount of CIL they have used as a total and list those projects which CIL has funded.

Delivery of projects – signing and adoption after completion

The Greater Norwich Infrastructure Delivery Board will sign off each completed project. Once the project has been delivered by the Accountable Body it will be adopted by the applicable authority and on-going maintenance of these assets will be the responsibility of the adopter.

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Infrastructure Investment Fund Programme Governance – **DRAFT F**

Formal Agreement

There is a requirement for the Greater Norwich Growth Board to have a formal agreement with the Accountable Bodies, prior to the commencement of the programme of projects. This agreement must bind authorities with regards to:

- Passing to the accountable body the balance of CIL after the admin percentage (up to 5%) and the Parish/Town Council proportion (15 or 25% if a neighbourhood Plan is in place) has been paid
- The criteria for assessing the business plans to formulate the programme of projects
- An exit strategy for a local authority

Exiting agreement early

The delivery of the strategic infrastructure in the LIPP is predicted to take fifteen years, and it is anticipated that the Greater Norwich Growth Board will be in existence for the whole duration.