

THAMES VALLEY BERKSHIRE LEP – ASSURANCE FRAMEWORK 2018 REVISE (1 November 2018)

CONTENTS

| | |
|---|-----------|
| PREAMBLE..... | 2 |
| 1. GOVERNANCE AND DECISION-MAKING | 3 |
| 2. STRONG SUPPORTIVE LOCAL AUTHORITY PARTNERSHIP WORKING ACROSS THE LEP..... | 8 |
| 3. TRANSPARENT DECISION MAKING | 9 |
| 4. ACCOUNTABLE DECISION MAKING | 11 |
| 5. ENSURING VALUE FOR MONEY | 13 |
| 6. PROJECT MANAGEMENT AND MONITORING & EVALUATION..... | 15 |
| APPENDIX 1: LEP CAPITAL GRANT LETTER - TEMPLATE | 16 |

PREAMBLE

Thames Valley Berkshire (TVB) LEP (the LEP) is a business-led organisation responsible for determining the key funding priorities to which Local Growth Funds (LGF) and other public resources are directed in order to implement a Strategic Economic Plan (SEP) and meet its commitments in the TVB Growth Deal (the Growth Deal). As a **company limited by guarantee** it operates according to its Articles of Association (Articles) (revised November 2016), which comply with the Companies Act 2006. As a **publicly-funded body** it behaves in accordance with an Assurance Framework, which determines the practices and standards necessary to provide assurance to government and local partners that decisions over (all government) funding are proper, transparent and deliver value for money.

This revised Assurance Framework (AF) was adopted by the LEP on 24 January 2017. The LEP's nominated Accountable Body (AB), the Royal Borough of Windsor & Maidenhead (RBWM), contributed to the drafting of it through its Section 151 (S.151) Officer. On 10 February 2017, the AB confirmed to the Permanent Secretary DCLG, that the AF is being implemented and meets the revised standards set out in the LEP National Assurance Framework, October 2016.

This AF is one of six related Growth Deal implementation documents which should be viewed together. The other documents are:

- (i) the Growth Deal (Section 31) **grant allocation letter** which sets out the conditions of use for LGF (31/2546)
- (ii) the **monitoring and evaluation (M&E) plan** which defines a suite of monitoring metrics that are collected regularly via monitoring reports
- (iii) the annual **Impact Report** on the Growth Deal
- (iv) LEP Capital Grant Letters to scheme promoters (an example template is at Appendix 1. For the avoidance of doubt the Appendix is an example and the Capital Grant Letter shall take such form as the Executive Board may from time to time, determine)
- (v) notes of the '**annual conversations**' with central government, which takes stock of progress in implementing the Growth Deal.

An [Assurance Framework](#) for transport schemes was signed off by the DfT on 16 November 2017 and will be reviewed regularly as part of the active and close relationship between the LEP and the Berkshire Local Transport Body. It was last reviewed with the Department for Transport in December 2016 and continues to meet all the requirements. It will be considered formally by the Local Transport Body in March 2017.

1. GOVERNANCE AND DECISION-MAKING

Governance

1.1 As a company limited by guarantee, the LEP has separate legal status to its members and can employ staff and enter into contracts. Its directors and sector representatives are drawn from the private sector, six unitary authorities (at Leader or cabinet member level), the community sector, the higher education and further education sectors. It also has representatives from the local business organisations, i.e. the Federation of Small Businesses, the Institute of Directors, the Thames Valley Chamber of Commerce and the CBI:

| SECTOR | EXECUTIVE BOARD DIRECTOR | FORUM SECTOR REPRESENTATIVE |
|-------------------------------|--|---|
| Private Sector | <ul style="list-style-type: none"> Chairman Life Sciences & Healthcare Lead Technology Lead SME Lead Access to Finance Lead | <ul style="list-style-type: none"> Strategic Transport Lead |
| Community Sector | <ul style="list-style-type: none"> Deputy Chairman | <ul style="list-style-type: none"> Social Inclusion Lead |
| Education Sector | <ul style="list-style-type: none"> HE Lead FE Lead | |
| Local Authorities | <ul style="list-style-type: none"> Berkshire Leaders' Group Berkshire Chief Executives' Group | <ul style="list-style-type: none"> Reading Borough Council RBWM (Accountable Body) Slough Borough Council Bracknell Forest Council West Berkshire Council Wokingham Borough Council |
| Business Organisations | | <ul style="list-style-type: none"> Thames Valley Chamber of Commerce Berkshire Institute of Directors Federation of Small Businesses Thames Valley CBI |

1.2 The LEP's private sector and community sector directors and representatives are selected through an open, transparent and non-discriminatory competition, which assesses each candidate on merit. A cascade approach, using traditional and social media, is taken to advertising vacancies and the diversity and geographic base of candidates is reviewed at the short-listing stage. The remaining directors and sector representatives are nominated by their respective sectors and the arrangements for this are set out in the LEP's Articles.

1.3 The LEP makes use of programme and project groups consisting of both directors and sector representatives as well as other co-opted, selected or nominated individuals (dependent on the sector); all individuals giving up their time voluntarily. An overview of the LEP's sub-groups is [here](#).

1.4 The LEP Articles determine that it operates through a **Forum** and an **Executive Board**. The Forum, when meeting in full, i.e. when sector representatives (including those from the six unitary authorities) and directors meet as one, is the LEP's **Sovereign Body**. However, its functions are delegated to the Executive Board unless this AF or the Articles state otherwise (see 1.18).

- 1.5 This governance model has been in place since the LEP corporate vehicle was incorporated in December 2011 and has benefitted from a Succession Plan managed by the Nominations & Governance Committee. Thus, in accordance with the Articles (which limit the length of service to three years with the option, following due process, to reapply for a further maximum period of two years), all bar one director has been replaced since incorporation, including the Berkshire Leader and Chief Executive Groups' nominees.
- 1.6 The LEP's governance is overseen by a Nominations & Governance Committee, which includes a private sector director (a lawyer), a director from the community sector and a director from the Berkshire Chief Executives' Group. In May 2016, the LEP Forum delegated responsibility for future oversight of the AF to the Committee.
- 1.7 These governance arrangements are kept under constant review through the input and participation of the Berkshire Leaders' and the Berkshire Chief Executives' Groups, each of which are represented at Executive Board level. This enables the engagement of local authority leaders in decision-making on growth priorities. The councillors who sit as representatives on the LEP Forum provide a further layer of local authority scrutiny. Their terms of office are stipulated at Article 4.3, i.e. their nominations are reviewed annually by their respective councils.
- 1.8 In November 2016 the LEP agreed more time-efficient governance arrangements that provide clearer and more transparent checks and balances to reinforce a revised AF. The LEP Forum will therefore act in oversight to scrutinize Executive Board decisions - at each of its bi-monthly meetings. It also has the power to call in decisions if at least four members of the Forum agree to do so once the decisions of the monthly Executive Board meetings are shared through the distribution of draft minutes.

The Forum

- 1.9 The Forum's sector representatives are responsible for regularly feeding back information about the LEP to the constituencies and stakeholder organisations that either elected or appointed them. It is the Sovereign Body to which the Executive Board would seek to explain and justify its actions. **As such, the Forum plays a central role in ensuring the accountability of the LEP to its wider constituency.** It acts as a shareholding body and ratifies, challenges or scrutinizes decisions made or recommended by the Executive Board. The Forum includes a representative from each unitary authority who can vote on behalf of that authority when making decisions. The LEP's Articles make this role explicit in defining the "*Local Authority Representatives*" precisely.
- 1.10 The Forum has been a successful model for decisions made to date, in allocating £55m of public funds, i.e. Growing Places Fund (GPF), Regional Growth and LGF, in conjunction with the processes of the AB. The (full) Forum's voting arrangements are as follows:



Other Decision-Making Bodies

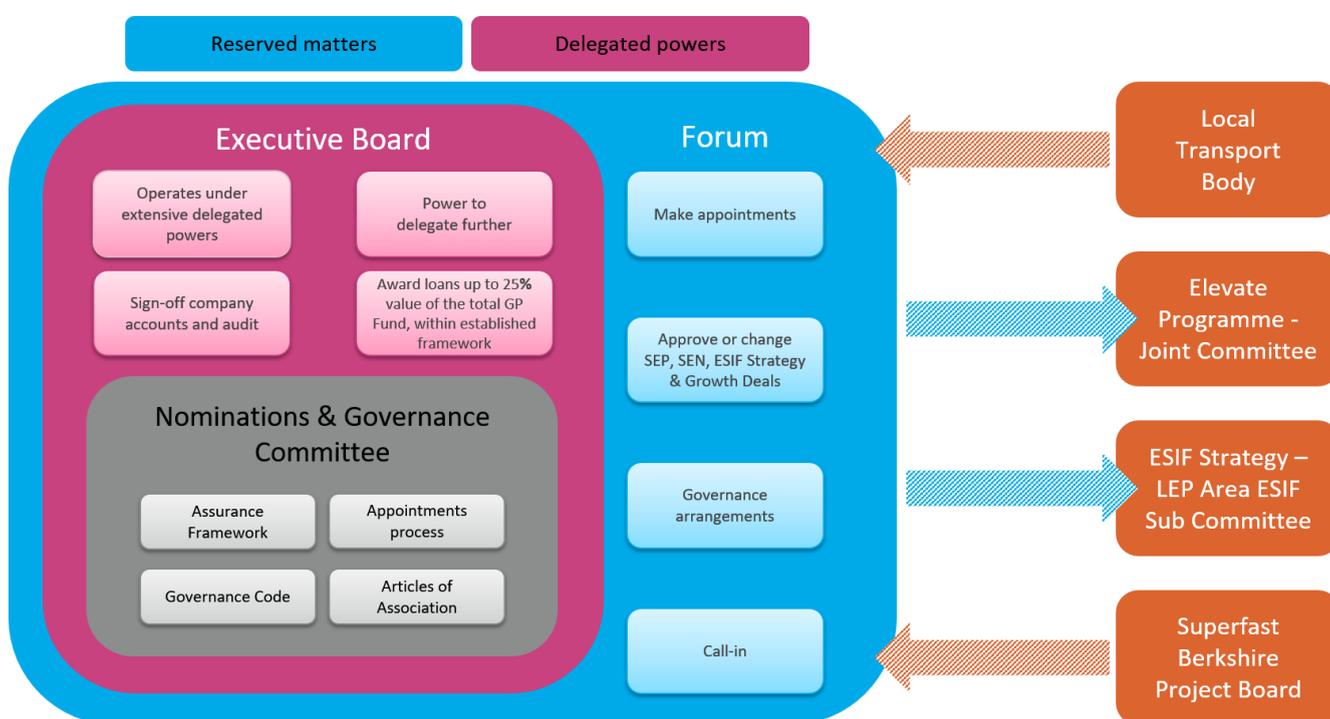
- 1.11 There are two distinct Joint Committees (JC) contributing to the implementation of the Strategic Economic Plan (SEP) and Growth Deals:
- Berkshire Local Transport Body
 - Elevate JC
- 1.12 **Berkshire Local Transport Body (BLTB)**. This consists of six elected members (usually the lead member for transport or related portfolio), and six private sector representatives recruited and appointed by the LEP. This body oversees the work of independent assessors that scrutinise transport schemes in accordance with the DfT approved [Assurance Framework](#). The work of the BLTB is itself informed by the Berkshire Strategic Transport Forum (BSTF). Its members’ meeting mirrors that of the BLTB, and it is in turn supported by an officers’ meeting (see 1.14).
- 1.13 On 18 July 2014 the Forum agreed to continue with the Local Transport Body, as the competent body to a) prioritise and b) implement transport capital schemes on its behalf. In practice the LEP will accept any BLTB recommendations or refer them back but will not substitute its own recommendations.
- 1.14 The BLTB and the BSTF have the same membership, which deploys either as a publicly accountable JC (the BLTB) or as the transport policy arm of the LEP (the BSTF). It straddles the strategic, technical and operational (the BSTF has an officer group that includes the six Berkshire transport authority officers, DfT, Highways England, Network Rail, and transport operators) and thus makes a significant contribution to the formation and implementation of the SEP (and its inherent Growth Deal/s). **Where there is a conflict or tension in policy, priority shall always be given – by the LEP Forum – to the strategic, pan-Berkshire or “sub-regional” impact rather than the local.**
- 1.15 The BLTB/BSTF meets every four months and is managed by the LEP in conjunction with Democratic Services staff from Slough Borough Council (SBC). This ensures an appropriate flow of information between BLTB/BSTF and the Forum. Further, the Joint Chairman of the BSTF is a private sector representative on the Forum.
- 1.16 **TVB City Deal Joint Committee (Elevate JC)**. This consists of the six local authority representatives from the LEP Forum and two non-voting co-optees: the LEP Deputy Chairman and Chief Executive. This

constituted body oversees all strategic and financial decisions regarding the Elevate Programme, part of the TVB City Deal (the City Deal). Although it operates out with the aegis of the LEP Forum, the JC's membership and its meeting arrangements (at least twice a year immediately after LEP Forum meetings) mean that it also operates in a complementary manner. Reading Borough Council acts as the AB for the Elevate JC.

- 1.17 In September 2014, an autonomous **Area ESIF Sub Committee** was established, based on the membership of the LEP Forum but meeting as a distinct committee, with Terms of Reference set by government, as part of the EU Operational Programme.

Decision Making

- 1.18 Those matters reserved for the LEP's Sovereign Body, its Forum, are summarised in the diagram below, which also illustrates how the other decision-making bodies and the LEP work and are tied together.



- 1.19 Except for that set out in 1.12 and 1.16, there are no instances where a body other than the Executive Board or Forum is responsible for the final sign-off on funding decisions above £50,000. The LEP web site provides a clear explanation of the arrangements and funding opportunities available:

LEP FUNDING STREAMS

Local Growth Funds (LGF)



£142,560,000
Capital Grant Fund

LGF ring-fenced to implement specific projects in the Growth Deals

Profiled over six years from 2015/16

Timetable for future calls determined by government. Last call closed in March 2016

Growing Places Fund (GPF)



£15,048,179
Revolving Capital Loan Fund

£3.5m available to lend

Intended to stimulate economic activity by addressing infrastructure and site constraints, and promoting the delivery of jobs & housing

Guiding principles:
1. Strategic impact
2. Value for money
3. Deliverability

2. STRONG SUPPORTIVE LOCAL AUTHORITY PARTNERSHIP WORKING ACROSS THE LEP

- 2.1 In line with the history of co-operation and joint working between the six unitary authorities in TVB, the six councils support the work of the LEP with professional advice on transport, infrastructure and other matters, e.g. social inclusion. This advice is delivered through distinct channels:
- a) The identification and promotion of individual schemes for inclusion in the SEP & Growth Deals
 - b) The commitment to giving and receiving independent scrutiny on a mutual basis with colleagues in neighbouring LEP and unitary areas
 - c) Advice and support to councillors who act as representatives on the LEP, in particular through the virtual TVB Liaison Group whose main role is to act as an information conduit between the LEP and the six unitary authorities. The aim of the Liaison Group is to facilitate the timely and accurate dissemination of information *from and to* the LEP, in particular that relevant to the groups of Berkshire Chief Executives, Leaders, Economic Development Officers, Planners and Treasurers
 - d) Volunteer leads from the Berkshire Economic Development Officers (BEDOG) play a role in the implementation of the SEP in accordance with the Group's [Terms of Reference](#). They provide a local perspective and act as a conduit for communication to and from local stakeholders, complementing the role of the Liaison Group.
- 2.2 This contribution is in the form of officer time, as is commensurate with the resources available to each of the councils.
- 2.3 Each unitary authority makes a £10k contribution per annum to the “strategic economic development service” provided by the LEP. The LEP CEO meets regularly with the Leader, CEO, Portfolio Member of Member Group of respective Berkshire authorities.

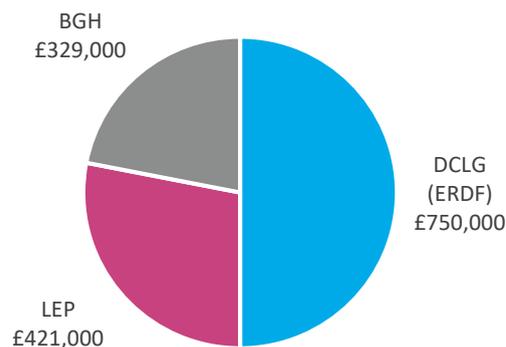
3. TRANSPARENT DECISION MAKING

- 3.1 The LEP is committed to sharing and publishing information. It will endeavour to apply standards of transparency over decisions it makes on public funding, similar to public sector organisations within the confines of confidentiality and what is practical for a small, strategic body but always at the discretion of the Forum, Executive Board or Chairman, depending on the circumstances.
- 3.2 The LEP's website allows local partners and the public to keep in touch with progress on implementing the Growth Deal.
- 3.3 The LEP will publish an annual Impact Report on its web site in order to provide a comprehensive update on progress with the Growth Deal and implementation of the Strategic Economic Plan, thus ensuring there is feedback to the public about strategy development and progress against delivery.
- 3.4 The LEP strives to maintain a high level of transparency to the wider stakeholder groups as evidenced by the activities of its programme and sub-groups; bi-monthly Forum meetings; the Berkshire Economic Development Officers Group; and a comprehensive communications strategy.
- 3.5 The arrangements for making and recording LEP decisions and for determining which reports or parts of reports are unlikely to be published due to issues of confidentiality or exempt information, are the responsibility of the CEO.
- 3.6 In the case of the Elevate JC, BLTB and LEP Area ESIF Sub Committee, these arrangements are the responsibility of the respective Accountable Bodies or the ESIF Managing Authority. Responses to Freedom of Information and Environmental Information Requests, compliance with the Data Transparency legislation, and other similar codes of practice, are dealt with similarly but via the LEP as 'first resource'.
- 3.7 The LEP will place as much information as possible in the public domain. However, due to the nature of its work there may be some papers that are not suitable for publication. In this instance the LEP will use The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and Schedule 12A of the Local Government Act 1972 as a guide to determine whether documents should be exempt or classified.
- 3.8 TVB LEP directors, sector representatives and staff shall not disclose or quote in public the contents of any agenda, report or other document which is marked "Confidential" or "Not for Publication" unless the document has already been made available to the public or the press by the Communications Manager.
- 3.9 The LEP recognises that on occasion there may be conflicts of interest. The arrangements for this are set out in the Articles (Article 13) and a Register of Individual Interests maintained centrally, and published on the LEP's website. This Register will be closely modelled on a unitary authority scheme and will include any gifts or hospitality received in connection with LEP business.
- 3.10 All LEP directors and sector representatives sign a [Code of Conduct](#), which reflects the seven (Nolan) principles of public life.

- 3.11 Whistleblowing and complaints policies are both published on the LEP web site, [here](#).
- 3.12 The LEP Forum has a forward-schedule of at least six meetings a year. At least twice a year the meetings of the Elevate JC follow immediately after those of the Forum (but as an autonomous body) and at least four times a year the LEP Area ESIF Sub Committee meetings follow immediately after those of the Forum or Executive Board (but as an autonomous body). The 'full' Forum, as Sovereign Body, will meet annually or, when necessary, to deal with the Reserved Matters set out at 1.18.

4. ACCOUNTABLE DECISION MAKING

- 4.1 The proper use and administration of public funds is set out in the grant allocation letter issued by the Cities and Local Growth Unit. The AB, through its Responsible Financial/S.151 Officer, is accountable for the proper use and administration of this funding, which falls under the annual audit of the local authority's accounts.
- 4.2 The AB will comply with LEP decisions, the only exception to this being when the LEP is clearly in breach of its own governance arrangements or is non-compliant with the funding statement. In this instance the matter would be escalated to the Berkshire Leaders' Group via the Chief Executives' Group.
- 4.3 RBWM will be the AB in the case of LGF and GPF. Reading Borough Council will be the AB in the case of the Elevate Programme. Central government will act as Managing Authority in the case of ESIF.
- 4.4 In the case of Business Growth Hub (BGH) funds, RBWM acts as the AB, though the LEP has established a dedicated Steering Group to ensure direct oversight of the Hub operation. From 1 April 2017, the BGH will be part-funded by ERDF and this will increase the complexity of reporting lines. This will be rationalised through a reconfigured Steering Group involving those partners that have invested in the next four years of the BGH operation:



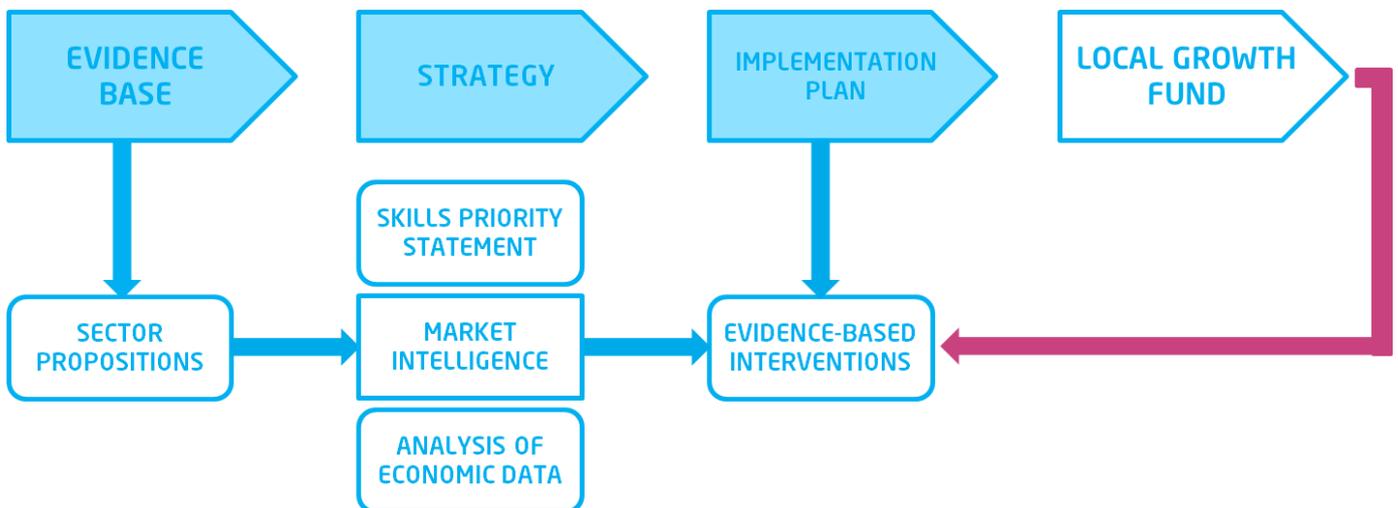
- 4.5 There is a close and effective working relationship between the AB S.151 Officer and the LEP CEO. This ensures that the AB understands where the money is going and for what purpose. This is provided through an audit trail of decision-making; it includes regular communication on the transfers of money, future events, claims, transfers and audits.
- 4.6 The Capital Grant Letters to scheme promoters (example template is at [Appendix 1](#)) set out the LEP and AB agreed timescales and operating practices to support the effective implementation of decisions, including:
- monitoring arrangements;
 - information required from project promoters and delivery agents;
 - details of the written agreement between the AB and delivery agent, and arrangements for protection of public funds including those in the event of non-delivery or mismanagement.

- 4.7 In all cases the AB's duties and obligations as they apply to the LEP are:
- hold the devolved funding and accounts for it such that it is separately identifiable from its own funds
 - make payments to delivery bodies in accordance with an agreed trigger process and according to timescales agreed locally between the LEP CEO and AB S.151 Officer, thus ensuring that investment decisions by the LEP can be implemented in a timely fashion. In the case of LGF for transport this will be by the end of Q4 and on the receipt of a satisfactory Certificate of Work Completed and invoice. For non-transport projects this will be according to a Schedule of Payment agreed in advance and specified in the Capital Grant Letter, and on receipt of a satisfactory Certificate of Work Completed and invoice
 - provide financial statements/annual accounts (to the LEP as requested/necessary), publishing them on the RBWM website when appropriate
 - provide local agreements with delivery bodies to ensure that the devolved funds can be used only in accordance with a LEP or JC decision. The exception to this will be when the AB is the delivery body, in which case sign-off will be sought from the Berkshire Chief Executives' Group representative. These local agreements must have due regard to the requirements set out in the M&E plan
 - ensure that the decisions and activities of the LEP give due regard to equalities, social value, environment, State Aid and public procurement rules, i.e. they are subject to the usual local authority checks and balances in order that the LEP acts prudently in spending public funds.
 - ensure that an official record of LEP proceedings is maintained and that all LEP funding, e.g. LGF and GPF, documents are accessible
 - through the S.151 Officer, ensure that the devolved funds are used appropriately as detailed above
 - ensure that this AF is being adhered to
- 4.8 The AB will supply appropriate support and administration to fulfil the responsibilities of financial management; legal and procedural advice.
- 4.9 In addition to these arrangements for the general safekeeping of the devolved funds, the S.151 officer will arrange for an internal (to the AB) audit of compliance at least equivalent to those in place for local authority spend. This is to be conducted biennially from March 2016. The audit reports generated will be submitted to the LEP and appropriate departments in central government. This will be funded through the LEP's annual management fee to the AB (agreed in December 2014).
- 4.10 The LEP files its accounts annually with Companies House and these are included in the annual Impact Report, which is published on LEP's web site.

5. ENSURING VALUE FOR MONEY

PRIORITISATION, APPRAISAL AND BUSINESS CASE DEVELOPMENT

- 5.1 The arrangements set out in this section of the AF are designed to ensure a clear separation between scheme promoters and decision makers, so that the LEP can remain impartial on the merits of (potentially competing) business cases.
- 5.2 The SEP sets out the strategic priorities for economic growth in TVB and addresses the changing realities of ‘doing world class business’. The ESIF Strategy and the SEP are entirely complementary, with the former providing a key mechanism for the implementation of the latter. Both tie together the two elements of the City Deal, i.e. Elevate and the BGH.
- 5.3 These strategies are informed through the collation and interpretation of market intelligence, as well as the analysis of international, national and regional economic data from a variety of sources. The inclusion of a dedicated Economic Research Analyst within the LEP team highlights the importance that is given to the mantra: “evidence-based interventions”:

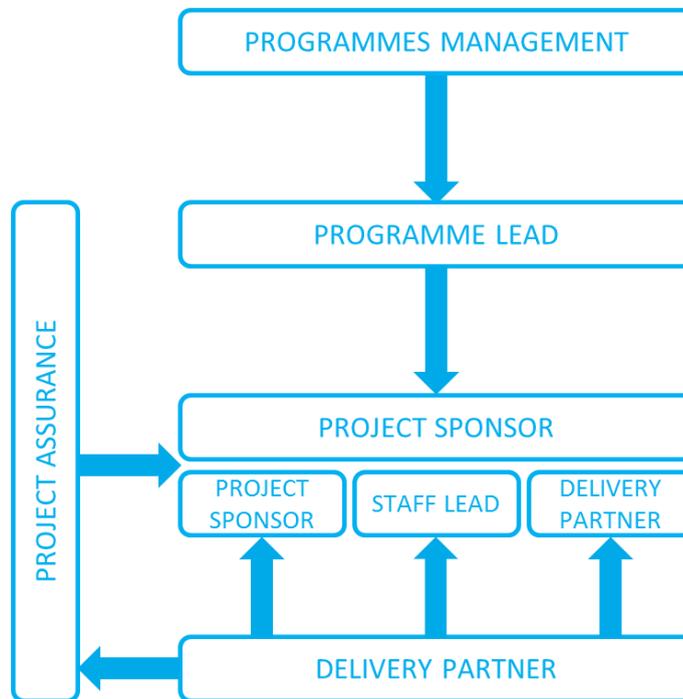


- 5.4 On 9 December 2014 the LEP adopted a methodology for the assessment and prioritisation of skills capital projects based on the advice of the Skills Funding Agency (SFA). This was revised in May 2016 on conclusion of the Thames Valley Post-16 Training & Education Area Review and withdrawal of the independent assessment service of the SFA. However, the LEP continues to base its processes on SFA good practice, advice and guidance, where appropriate and tailored to local circumstances. After a competitive procurement process, it appointed [WYG](#) to provide the independent assessment service.
- 5.5 In the case of transport projects, the BLTB will oversee this process in accordance with its [Assurance Framework](#) (see 1.12) and using [WYG](#) as the independent assessor. In both cases, the assessment will be based on *HM Treasury Green Book*.
- 5.6 In the case of other projects, the methodology for prioritisation will be as follows:
1. *Strategic impact* – a clearly evidenced rationale for the intervention and how it contributes to the Strategic Economic Plan, with defined inputs, activities, outputs and anticipated outcomes: “evidence-based interventions”

2. *Value for money* – to ensure the benefits exceed the costs of intervention and that activities (e.g. BGH) ensure a connection to national expertise
 3. *Deliverability* and risks have been appropriately considered
- 5.7 A long list of schemes will be generated and subjected to a simple, internal assessment against each of the criteria described above. This will be led by the LEP CEO and supported by the relevant Staff Lead and/or Programmes Manager.
- 5.8 There will then be a stepped system of assessment and approval:
- Step 1:** The scheme proposer must develop (and bear the cost of developing) a full business case.
- Step 2:** Where a scheme can demonstrate high value for money, a report to this effect will be prepared for the Executive Board recommending approval. Where the scheme is being promoted by the AB, this report must be signed off by the Berkshire Chief Executives' Group representative.
- Step 3:** Approved schemes will be subject to due diligence, where appropriate, and formal agreement about the provision of robust, timely, full and verified information via a regular monitoring report consistent with the LEP's M&E Plan (see 6.2). This will be set out in a Capital Grant Letter ([Appendix 1](#)).
- 5.9 Where it is the case that an independent assessment is necessary, the outcome will first be made available to the applicant and an opportunity will be provided for them to make a response. Before any scheme is recommended for financial approval, the independent assessor's report or moderation findings, and any response from the applicant, will be reported in full to the appropriate Project Sponsor or Programme Group.

6. PROJECT MANAGEMENT AND MONITORING & EVALUATION

6.1 Once the business case for a project has been approved, the Project Sponsor, supported by the Staff Lead, is responsible for the ongoing assurance of the project and that the Delivery Partner's outputs meet the business case (and thus contribute to the implementation of the SEP). This is detailed in a project management paper adopted by the Executive Board on 9 December 2014 and illustrated here:



6.2 The LEP's [Monitoring & Evaluation Plan](#) (March 2015) sets out a framework for monitoring and evaluating the impact of its Growth Deal projects. It is intended to generate evidence, which goes beyond the requirements of government (defined in relation to the Growth Deal) to the core of the ongoing delivery of the SEP.

6.3 Within a framework of SEP evaluation questions – and for each project chosen for evaluation – the Plan sets out: an intervention logic (with objectives, inputs, outputs, outcomes, and impacts); a suite of monitoring metrics required for evaluation; appropriate evaluation methodologies; a first-cut assessment of costs; and outline dissemination plans.

APPENDIX 1: LEP CAPITAL GRANT LETTER - TEMPLATE

01 November 2018

By email to:

NAME

Dear NAME

Thames Valley Berkshire Growth Deal – Capital Grant Letter SCHEME NAME

This letter confirms the award of up to £xxx capital grant to APPLICANT from the [Thames Valley Berkshire Local Growth Deal 2014](#) as expanded by [Growth Deal 2](#) for the SCHEME NAME. The grant will be payable according to the following Financial Profile:

| Financial Year | Payment by TVB LEP | Council Capital programme | s.106, CIL and other developer contributions | Railway Industry contributions |
|----------------|--------------------|---------------------------|--|--------------------------------|
| | | | | |
| | | | | |
| Total: | | | | |

NB: the cost (£X,XXX ex-VAT) of the Independent Evaluation of the Full Business Case by TVB LEP consultants White Young Green has been capitalised in agreement with the Accountable Body and paid out by TVB LEP in 2016-17. It is therefore shown as a deduction from the headline grant.

Scheme Information

| | |
|-------------------------------------|--|
| Reference Number | |
| Title | |
| TVB LEP authorisation | The scheme was included into the Strategic Economic Plan published in July 2014 and named in the Growth Deal 2014 . The LEP's Forum approved its revised Assurance Framework (AF) on 20 May 2016 (minute 5.1 refers) and paragraphs 1.12 & 5.3 of the AF gives responsibility for implementation to the Berkshire Local Transport Body . |
| SEP description | |
| Programme entry status | |
| BLTB minute | |
| Full Business case approval | Conditional Approval 20 November 2014 |
| BLTB report | Agenda Item 3 and Appendix 1 |
| BLTB minute | Minute 15 of the meeting held on 20 November 2014 |
| Discharge of condition confirmation | 9 March 2015 letter confirming discharge of the conditions |

Grant Conditions

The capital grant of £xxx is a maximum figure which cannot be increased, but may be reduced if savings are achieved during implementation. In the event that APPLICANT wishes to alter the profile of the grant payments, it must seek prior written permission from TVB LEP, having first raised the matter with the BLTB. The grant is made subject to the following:

1. Roles: TVB LEP is a part funder of the scheme. APPLICANT is the scheme promoter, and is the relevant highway and planning authority.
2. Responsibilities: TVB LEP is responsible for allocating the capital finance in accordance with its Assurance Framework. APPLICANT is responsible for all aspects of the design, risk management, insurance, procurement, construction and implementation of the scheme, including its responsibilities as highway and planning authority, any other statutory duties, and any financial or other liabilities arising from the scheme.
3. Reporting: In addition to any reporting requirements within APPLICANT, the scheme promoter will use the pro forma supplied by TVB LEP to make reports on progress of the implementation of the capital scheme to each meeting of the BLTB until it reaches completion. In particular, APPLICANT will report on any change in the size, scope or specification of the scheme; and on any substantial savings against the scheme budget whether achieved by such changes to the size, scope or specification of the scheme, or through procurement, or through the efficient implementation of the scheme.

The scheme promoter will also provide accurate, timely, verified and quality assured monitoring data, which relate to defined output and outcome indicators agreed between TVB LEP and government as a condition of the Growth Deal. This scheme will not be required to participate in an evaluation as set out in the Growth Deal Monitoring and Evaluation Plan.

4. Auditing: APPLICANT will keep financial records such that the expenditure on the scheme is readily identifiable, and if and when BEIS, DfT or other government department or the accountable body for TVB LEP requests access to financial or other records for the purposes of an audit of the accounts, APPLICANT will co-operate fully.
5. Timing and Triggers for payments: APPLICANT will submit an annual invoice for each financial year together with a certificate of work completed, in accordance with the Financial Profile. The accountable body for TVB LEP will satisfy itself of the correctness of the certificate before paying the invoice.
6. Contributions from Other Funders: There will be £xxx of APPLICANT capital programme contributions and £xxx from Railway Industry funds in 2016-17. In the event that the scheme experiences or it is anticipated that the scheme will experience a shortfall in these contributions, APPLICANT will be required to notify TVB LEP of these developments. The provisions of clauses 7, Consequences of Delay; 8, Consequences of Change to the Design or Specification of the Scheme; or 9, Consequences of Failure will then be applied.
7. Consequences of Delay: In the event that the scheme experiences minor delays to its overall Business Case programme (no more than 10 weeks), APPLICANT will report these delays and the reasons for them, and the proposed remedial action to the next available meeting of the BLTB. In the event that the scheme experiences major delays to its overall Business Case programme (11 weeks or longer) APPLICANT will be required to seek permission from TVB LEP to reschedule any payments that are due, or may be delayed in falling due because of the delay to the overall Business Case programme.
8. Consequences of Change to the Design or Specification of the Scheme: In the event that APPLICANT wishes to change the design or specification of the scheme such that the scheme delivered will vary in any material aspect from the description given in the overall business case, APPLICANT will be required to seek prior

written consent from TVB LEP. Failing this permission, no further monies will be paid to APPLICANT after the change becomes apparent to TVB LEP. In addition, consideration will be given to recovering any monies paid to APPLICANT in respect of this scheme.

9. Consequences of Failure: As soon as it becomes apparent to APPLICANT that it will not be possible to deliver the scheme at all, written notice shall be given to the accountable body for TVB LEP. No further monies will be paid to APPLICANT after this point. In addition, consideration will be given to recovering any monies paid to APPLICANT in respect of this scheme.

10. Claw back: If the overall scheme achieves savings against budget, these savings will be shared by TVB LEP and the other funders noted above in proportion to the amounts set out in the Financial Profile. The accountable body for TVB LEP reserves the right to claw back any amounts of grant that have been spent on purposes other than the scheme as approved and any repayments due as a consequence of changes to the design or specification of the scheme or scheme failure.

11. Evaluation One and Five Years On: APPLICANT will produce scheme evaluations One and Five years after practical completion, which comply with DfT guidance.

12. Other Conditions of Local Growth Funds: APPLICANT will acknowledge the financial contribution made to this scheme through Local Growth Funds and follow the [LEP Communication Guidelines](#). It will also give due regard to the [Public Services \(Social Value\) Act](#), particularly through the employment of apprentices across the scheme supply chain.

A claim pro-forma is attached to this letter. If you have any questions about this grant letter, please contact Richard Tyndall who is dealing with this matter, on richard@thamesvalleyberkshire.co.uk 07880-787007.

Yours sincerely,



Tim Smith
Chief Executive

Arrangements for Claiming Grant

As noted at point 5 of the grant letter, payments will be made against an annual invoice and accompanying certificate of work completed. First, you should submit a certificate of work completed (pro-forma below) to Tim Smith, Chief Executive, Thames Valley Berkshire LEP, 100 Longwater Avenue Green Park, Reading RG2 6GP tim@thamesvalleyberkshire.co.uk. When we have satisfied ourselves that all is in order we will contact both you and the accountable body (Royal Borough of Windsor and Maidenhead) to confirm that you should issue an invoice and that the accountable body should pay it.

From: [XYZ Council]

Certificate of Work Completed in [insert financial year here] on [Scheme No and name]

This invoice is for [£x,xxx,xxx] in respect of work completed in [insert financial year here] on [Scheme No and name].

I certify that the following works have been completed in the year in question:

[insert list of works here]

This invoice is the [only] [first] [second] [add as appropriate] invoice claiming payment for this scheme.

The amount already paid in [earlier years] is [£x,xxx,xxx]

The amount of this claim is [£x,xxx,xxx]

The amount we intend to claim in future years is [£x,xxx,xxx]

[There have been savings against the sums identified at the time the project was approved.

The overall saving is [£x,xxx,xxx], which is to be split between the funders in the following shares [...]

[TVB LEP approved the following change to original Financial Profile for this scheme [...]]

[There have been no savings or other approved changes to the Financial Profile against the sums identified at the time the project was approved.]

Signed

Senior responsible officer for [XYZ Borough Council]