

Active Black Country

Board Meeting
Wednesday 27th April 2022 – 11:00-13:00
Meeting – Black Country Housing Group

Present: Amanda Tomlinson (Chair), Guy Shears (GS), Kim Babb (KB), Richard Metcalf (RM), Sue Wilkinson (SW), Richard Welch (RW), Richard Callicott (RCa), Farah Ahmed (FA), Sureya Gulzar (SG)

Apologies: Carol Bate (CB), John Denley (JD), Cllr Suzanne Hartwell (SH), Chris Jones (CJ), Ash Rai (AR), Rachel Conlisk (RC).

In Attendance: Ian Carey (IC)

NO.	SUBJECT & NOTES	ACTION	WHO
WELCOME & APOLOGIES			
Welcome from Chair, as above and apologies noted.			
1	DECLARATION OF INTERESTS		
	None declared.		
3	APPROVAL OF MINUTES – 9th March 2022 Board Meeting		
	The minutes of the meeting held on 9 th March 2022 were submitted. RM raised a point of accuracy re Liam Byrne being shown as vice chair Agreed that the minutes was a correct record of the meeting.	Reference to Liam Byrne to be struck from the minutes	
4	CREATING AN ACTIVE BLACK COUNTRY UPDATE		
	<p>a) Sport England Executive visit – 18th May 2022</p> <p>Members were advised that Tim Hollingsworth, CEO Sport England, had agreed to attend a tour of the Black Country and the intention was for him to visit each local authority area to include the Sandwell Aquatic Centre linking in with the strategy, local authorities and relevant community groups.</p> <p>Board members noted the update and RM, SW, SG, FA indicated availability to support the event.</p> <p>b) Commonwealth Active Communities</p> <p>IC outlined progress against the CAC Sport England fund. Progress being made with recruitment of additional capacity and procurement of external suppliers. Launch date to be confirmed just prior to the official opening of Commonwealth Games on 28th July.</p> <p>IC advised that they were awaiting a lottery bid announcement on an additional £0.3m which would hopefully conclude by April and support the Commonwealth Active Communities programme.</p>	IC to follow up with itinerary and planning for the visit with identified board members.	

	<p>IC advised that Sport England had released NGB Activation Funding and Swim England had led on a submission that could support legacy ambition in the Black Country. The Aquatic Legacy Group which was Chaired by Sue Wilkinson had supported this process.</p> <p>Members noted positive progress. Rich C requested an overview of the CAC project be shared with members.</p>	<p>IC to share further information once available.</p>	
5	STRATEGIC THEME UPDATES		
	<p>Members received the papers (below) and raised questions by exception.</p> <ul style="list-style-type: none"> a) Health & Wellbeing & Insight b) Education c) Healthy Placemaking d) Community e) Workforce f) Marketing & Communications <p>GS questioned if Board Member support was required for the Primary Conference. IC clarified SW and AT were directly supporting, though all Board Members were able to attend.</p>		
6	PERFORMANCE MANAGEMENT		
	<ul style="list-style-type: none"> a) 'Creating An Active Black Country' Performance Management <p>IC offered apologies for the delay in final draft of revised dashboard this will be available by the June meeting.</p> <ul style="list-style-type: none"> b) Safeguarding Report & Dashboard <p>The update was noted.</p> <ul style="list-style-type: none"> c) ABC Board Finance Report <p>IC highlighted the key points from the report and the surplus being generated on the Children & Young People funding. This had been the focus of the Sport England proposal to withhold funding.</p> <p>AT advised Board Members of the email she had been sent to BCC Ltd re concerns over the quality, accuracy & timeliness of the finance service provided to ABC by BCC Ltd.</p> <p>IC advised the report, whilst there are improvements, still doesn't provide ABC Board Members with sufficient information to be able to discharge duties comprehensively, given it still lacks future forecasting and highlighting of risks.</p>	<p>MS/IC to develop</p>	

	<p>SW asked had an independent financial audit ever been undertaken in detail against the ABC specific income. IC advised not. SW asked for this to be considered.</p> <p>RM highlighted the need for robust governance, in particular in relation to finance and risk management, given the increase in funding that ABC had projected.</p>		
7	2022/2023 Budget		
	<p>IC presented the budget to ABC Board, highlighting the increased projected income for the 22/23.</p> <p>Board members welcomed this positive progress.</p> <p>AT asked would the CYP balance be cleared by financial year end. IC advised this funding can be re-profiled into core funding which can then be carried forward into 23/24.</p> <p>IC advised Board members of the 22/23 SLA contributions at the levels outlined in the paper and that there had been a request from BCC Ltd finance to increase the SLA contributions for Finance and HR</p> <p>Board members were not prepared to support any further increases to SLA given the issues in quality of service and the ongoing consideration of risk in relation to the future entity of Active Black Country.</p> <p>RC advised this was very inappropriate and he had always had concern over the clarity of the contributions to BCC Ltd by ABC and the transparency of the decision-making process.</p> <p>Board Members approved the 22/23 budget as was presented.</p>	<p>IC to advise BCC Head of Finance of approval and the decision regarding the proposed increases in SLA to finance and HR.</p>	
8	GOVERNANCE SUB GROUP		
	<p>This was a private session for independent Board Members only and advisors and nominated representatives left the meeting.</p> <p>IC provided an overview of the key points contained in the paper;</p> <p>There a number of contextual considerations including the 2021 external governance review, the growth & maturity of ABC, enhanced UK Code requirements, poor provision of finance service to ABC by BCC Ltd.</p> <p>There needs to be diligent consideration of the options for the future entity of Active Black Country, driven by the needs of the partnership, as defined by the ABC Board. Ensuring compliance with the UK Code for Sports Governance and enabling the Board to fulfil their role and fully discharge their duties as an Independent Board.</p> <p>Sport England had retained the 2017 Campbell Tickell observation that ABC isn't listed a member of BCC Ltd as outlined in the BCC Ltd Company Articles of Association.</p>		

<p>AT - Advised of meeting with BCC Ltd CEO to start the discussions regarding the LEP transition and impact on BCC Ltd. BCC Ltd is taking legal advice on the TUPE/Redundancy implications of the integration.</p> <p>RM – Highlighted the governance subgroup had met and had quite detailed discussion. He confirmed that the paper reflects those conversations well.</p> <p>SW - Asked if Sport England have asked to review the Company Articles of Association. IC confirmed they hadn't but they are aware of Campbell Tickle report from 2017.</p> <p>GS noted careful consideration needs to be given by the sub group to short term risk to ongoing business operations and questioned the long-term feasibility of the ABC Board to effectively discharge their duties under the current governance model.</p> <p>GS questioned the process from Sport England. IC advised once ABC Board outline their intent to Sport England, they will contact BCC Ltd to advise of novation or termination of the current funding awards.</p> <p>Board Members approved:</p> <ol style="list-style-type: none"> 1. Agree the existing governance working group as the steering group to oversee the programme of transition. 2. Scope and commission external support with Independent Legal Advice, external HR and pension advice for the Active Black Country Board. 3. Approve an initial budget of circa £26,000 (identified from the year end budget report tabled as part of agenda items 6 and 7) to support the transition programme and development of an options appraisal of future legal entity for ABC. This has been estimated to include initial legal and external advice, further potential specialist advice and support regarding termination/novation of contracts and transfer of employees. 4. Request the latest pensions actuary report via BCC Ltd for the Active Black Country staff profile. 5. Draft and sign off an interim reserves policy. 6. Communicate steps 1- 6 officially to BCC Ltd. 7. Following considerations and discussions between BCC Ltd CEO and ABC Chair initiate communications to Sport England to appraise them of ABC Boards intent. 8. Postpone the ABC Board May Away Day until the initial advice has been received with a view to holding a full away day to consider future options once the ABC Board is in receipt of further information and specialist advice. 	<p>IC to draft an ITT to share with sub group and to procure external consultancy support.</p> <p>IC to advise BCC Ltd by email of steps 1-6.</p>	
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9	AOB		
	None advised.		
10	DATE OF 2022 MEETINGS		
	<p>Agreed with 2022 meeting date suggestions (Microsoft Teams invite sent).</p> <p>2022 Proposed Meeting Dates: -</p> <p>27th April 21st September 22nd June 7th December</p>		

Meeting concluded at 13:05pm

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