

**Forward Plan reference number:** FP/AB/286

|  |                      |
|--|----------------------|
| <b>Report title:</b> Local Growth Fund Capital Programme Update                                  |                      |
| <b>Report to Accountability Board</b>  |                      |
| <b>Report author:</b> Rhiannon Mort, SELEP Capital Programme Manager                             |                      |
| <b>Meeting Date:</b> 18 September  | <b>For:</b> Decision |
| <b>Enquiries to:</b> Rhiannon Mort, Rhiannon.Mort@southeastlep.com                               |                      |
| <b>SELEP Partner Authority affected:</b> East Sussex, Essex, Kent, Medway, Thurrock and Southend |                      |

## 1. Purpose of Report

- 1.1 The purpose of this report is for the Accountability Board (the Board) to consider the latest position of the Local Growth Fund (LGF) capital programme, as part of SELEP's Growth Deal with Government.
- 1.2 The information presented in this report was collated with local partners in August 2020 and presents an initial view of the COVID-19 impacts, project risks and overall programme risks. The situation will be kept under close review through update reports to the Board at each meeting, as Government advice changes and there is greater clarity as to the impacts of COVID-19 on the programme.
- 1.3 The report also confirms the successful outcome of the Ministry of Housing Communities and Local Government's (MHCLG) review into LGF spend, which has resulted in the final third of SELEP's LGF allocation for 2020/21 having been confirmed.

## 2. Recommendations

- 2.1 The Board is asked to:
  - 2.1.1. **Note** the updated total spend in 2019/20 of £62.788m LGF excluding DfT retained schemes and £96.394m including DfT retained schemes, as set out in Appendix 1.
  - 2.1.2. **Agree** the updated total planned LGF spend in 2020/21 of £81.992m excluding DfT retained schemes and increasing to £111.714m including DfT retained schemes, as set out in Table 1 and Appendix 1.
  - 2.1.3. **Note** the deliverability and risk assessment, as set out in Appendix 2.
  - 2.1.4. **Agree** the reallocation of £2.111m LGF from the Exceat Bridge project to the LGF project pipeline.

## Local Growth Fund Capital Programme Update

2.1.5. **Agree** to place LGF spend on hold for the M11 Junction 8 project and for a further update report to be provided by Essex County Council to the Board in November 2020.

2.1.6. **Note** the mitigation/action required in relation to high risk projects as set out in Appendix 3.

### 3. Summary Position

- 3.1 To date, the Board has approved the award of £565.4m LGF to 109 projects, relative to a total LGF allocation of £578.9m. The final project to be awarded funding, A127 Fairglens Interchange, is due to be considered at the next meeting of the Board.
- 3.2 A total of 46 projects have been completed across the programme, with a further 63 underway to support the economic recovery following the COVID-19.
- 3.3 End of year declarations have now been provided by each local authority to confirm the total LGF spend incurred in 2019/20. Reported LGF spend in 2019/20 by partner authorities totals £62.8m, excluding Department for Transport (DfT) retained schemes, and increasing to £96.4m including DfT retained schemes, as set out in Appendix 1.
- 3.4 To the end of 2019/20, a total of £409.2m LGF had been spent across the programme and a further £111.7m is due to be spent on LGF projects in 2020/21, as set out in Table 1 below.
- 3.5 The 2020/21 spend forecast has been updated to reflect slippages of LGF from 2019/20 to 2020/21 which were identified through the end of year reporting process, and delays to LGF projects reported since the last Board meeting. Considering the net impact of these changes, the 2020/21 LGF spend forecast has marginally reduced by £0.716m from £118.4m in the last update report in June 2020 to £117.7m (including DfT retained schemes).

**Table 1 - Summary LGF spend forecast**

| LGF (£m)                    |                             |                   |                   |                           |                |  |
|-----------------------------|-----------------------------|-------------------|-------------------|---------------------------|----------------|--|
|                             | LGF spend to end of 2019/20 | LGF spend 2020/21 | LGF spend 2021/22 | LGF spend 2022/23 onwards | Total          | % LGF allocation spent by end of 2019/20 |
| East Sussex                 | 59.699                      | 9.613             | 11.384            | 1.579                     | 82.276         | 72.56%                                   |
| Essex                       | 78.642                      | 12.791            | 5.862             | 12.000                    | 109.295        | 71.95%                                   |
| Kent                        | 87.784                      | 28.101            | 10.755            | 0.000                     | 126.640        | 69.32%                                   |
| Medway                      | 21.357                      | 8.733             | 2.350             | 0.000                     | 32.440         | 65.84%                                   |
| Southend                    | 25.299                      | 13.017            | 0.994             | 0.000                     | 39.310         | 64.36%                                   |
| Thurrock                    | 26.080                      | 9.737             | 0.884             | 0.000                     | 36.700         | 71.06%                                   |
| Skills                      | 21.975                      | 0.000             | 0.000             | 0.000                     | 21.975         | 100.00%                                  |
| M20 Junction 10a            | 19.700                      | 0.000             | 0.000             | 0.000                     | 19.700         | 100.00%                                  |
| <b>Sub-total</b>            | <b>340.536</b>              | <b>81.992</b>     | <b>32.229</b>     | <b>13.579</b>             | <b>468.336</b> |  |
| <b>DfT Retained</b>         | <b>68.617</b>               | <b>29.722</b>     | <b>12.261</b>     | <b>0.000</b>              | <b>110.600</b> |  |
| <b>Total spend forecast</b> | <b>409.153</b>              | <b>111.714</b>    | <b>44.490</b>     | <b>13.579</b>             | <b>578.936</b> |  |

- 3.6 It is currently forecast that £58.1m LGF will remain unspent at the end of 2020/21. This figure includes £45.8m LGF from MHCLG and £12.3m LGF from the Department for Transport (DfT).
- 3.7 It is proposed that the remaining £45.8m unspent LGF from MHCLG at the end of the 2020/21, will be swapped into local authority's wider capital programmes at the end of this final year. This funding will then be 'swapped out' by local authorities in future years to be spent on the respective LGF project. This is set out further in section 5 below.
- 3.8 The Strategic Board has previously extended the delivery of the Growth Deal period by six months to 30 September 2020. Any further extensions beyond this date must be considered by the Strategic Board on a case by case basis. For those projects reporting LGF spend beyond this date, approvals will be sought from the Strategic Board in October 2020.
- 3.9 At the last meeting of the Board, an update was provided about the impact of the COVID-19 public health measures on the delivery of the Growth Deal programme. As anticipated, the impact of the public health measures and the economic downturn have resulted in project delays, project cost increases and/or funding gaps and is expected to slow the pace of benefit realisation. The risk rating for each project is presented in appendix 3, having been reviewed to reflect the known impacts of the pandemic to date on project delivery. Further details about the high-risk projects are set out in Appendix 3/ section 6.

#### **4. 2020/21 Funding allocation**

- 4.1 Since the last meeting of the Board in July 2020, SELEP has been successfully allocated the final third of Local Growth Fund due in 2020/21. totalling £77.873m from MHCLG. This funding was received by the SELEP Accountable Body in August 2020.
- 4.2 In July 2020, a number of projects received a funding award, which was subject to the final third of LGF being receive. These projects will now be able to proceed in drawing down their LGF allocation, unless there are additional funding conditions which still need to be satisfied.
- 4.3 Furthermore, local authorities which agreed to place a charge over an alternative LGF project, in advance of the final third of LGF being secured (namely Kent County Council in respect of Thanet Parkway and Thurrock Council in respect of Tilbury Riverside) will have these charges removed.
- 4.4 Through the submission of information to Government, to secure the final third of LGF, SELEP committed to:
  - 4.4.1. agree updated Service Level Agreements with each partner authority, under which LGF is transferred. This will help further demonstrate to Government the contractual commitment of LGF; and
  - 4.4.2. implement 'Option 4' capital swaps, to demonstrate that LGF will be spent in full by the end of 2020/21.
- 4.5 It remains SELEP's intention to put in place these arrangements and the Board will be asked to agree the expected value of the Option 4 swaps (+/- any minor slippages) at its final meeting in Q4 2020/21.

#### **5. LGF spend beyond the Growth Deal period**

- 5.1 Given the substantial impact of COVID-19 on the delivery of LGF projects, the Strategic Board agreed to extend the Growth Deal period to 30 September 2021.
- 5.2 Whilst MHCLG has made clear its expectation that LGF is spent in full in 2020/21, there are no conditions within the Grant Determination Letter from MHCLG which prohibit the spend of LGF beyond 31 March 2021. As such, SELEP intends to use Option 4 capital swaps to demonstrate LGF spend in full by the end of the Growth Deal where there are no substantial (Red) rated risks identified for the future delivery of the Project.
- 5.3 To ensure SELEP is fulfilling its responsibilities in overseeing the appropriate use of public funds, it is not recommended that Option 4 capital swaps should be applied, where there is a high risk to the project, such as issues in securing planning consent or where match funding contributions have not been confirmed.

## Local Growth Fund Capital Programme Update

- 5.4 The Board is strongly encouraged to seek assurances over the deliverability of high-risk projects by the end of 2020 calendar year to ensure that Option 4 swaps can be agreed, or alternative investments can be identified.
- 5.5 Approval of LGF spend beyond the Growth Deal, as extended to 30 September 2020, also remains subject to the Board agreeing that five specific conditions have been met. These five conditions include projects demonstrating:
  - 5.5.1. A clear delivery plan with specific delivery milestones and completion date having been agreed by the Board;
  - 5.5.2. A direct link to the delivery of jobs, homes or improved skills levels within the SELEP area;
  - 5.5.3. All funding sources are identified to enable the delivery of the project. Written commitment will be sought from the respective project delivery partner to confirm that the funding sources are in place to deliver the project beyond the Growth Deal;
  - 5.5.4. Endorsement from the SELEP Strategic Board that the funding should be retained against the project beyond the Growth Deal period; and
  - 5.5.5. Contractual commitments being in place with construction contractors by the end of the Growth Deal period for the delivery of the project
- 5.6 As per condition listed in 5.5.4 above, the Strategic Board will be asked to agree the retention of LGF allocations for all projects spending beyond 30 September 2021. Those projects listed in Table 2 will be considered in October 2020, where the spent is expected to extend beyond 30 September 2021 and approval from the Strategic Board is not already in place.
- 5.7 Table 2 lists all projects which are forecasting LGF spend beyond 2020/21. There is a risk that further LGF slippage beyond the Growth Deal will be identified over the coming months as a result of the COVID-19 pandemic slowing project delivery or results in project complications.

## Local Growth Fund Capital Programme Update

**Table 2 – Projects with forecast LGF spend beyond 31 March 2021**

| Projects spending LGF beyond 31 March 2021 (£m) |   |             |                         |                 |               |              |                    |                |                              |            |
|---|---|-------------|-------------------------|-----------------|---------------|--------------|--------------------|----------------|------------------------------|------------|
| SELEP number                                    | Project Name  | Promoter    | Spend to end of 2019/20 | 2020/21 (Total) | 2021/22       | 2022/23      | 2023/24 and beyond | All Years      | % LGF spent by 31 March 2021 | RAG rating |
| <b>East Sussex</b>                              |   |             |                         |                 |               |              |                    |                |                              |            |
| LGF00023  | Hailsham/Polegate/Eastbourne Movement and Access Pack           | East Sussex | 1.263                   | 0.135           | 0.702         |              |                    | 2.100          | 66.6%                        | 4          |
| LGF00024  | Eastbourne and South Wealden Walking and Cycling Network        | East Sussex | 3.772                   | 0.952           | 1.876         |              |                    | 6.600          | 71.6%                        | 4          |
| LGF00042  | Hastings and Bexhill Movement and Access Pack                   | East Sussex | 2.549                   | 2.048           | 2.824         | 1.579        |                    | 9.000          | 51.1%                        | 5          |
| LGF00044  | Eastbourne town centre LSTF access & improvements               | East Sussex | 5.244                   | 0.151           | 2.605         |              |                    | 8.000          | 67.4%                        | 4          |
| LGF00108  | Bexhill Enterprise Park North                                   | East Sussex | 0.000                   | 1.540           | 0.400         |              |                    | 1.940          | 79.4%                        | 5          |
| LGF00109  | Skills for Rural Businesses Post-Brexit                         | East Sussex | 0.229                   | 1.189           | 1.500         |              |                    | 2.918          | 48.6%                        | 3          |
| LGF00110  | Churchfields Business Centre (previously known as Churchfields) | East Sussex | 0.065                   | 0.335           | 0.100         |              |                    | 0.500          | 80.0%                        | 3          |
| LGF00117  | Exceat Bridge Replacement                                       | East Sussex | 0.000                   | 0.734           | 1.377         |              |                    | 2.111          | 34.8%                        | 5          |
| <b>Essex</b>                                    |   |             |                         |                 |               |              |                    |                |                              |            |
| LGF00070  | Beaulieu Park Railway Station                                   | Essex       | 0.000                   | 0.000           |               |              | 12.000             | 12.000         | 0.0%                         | 5          |
| LGF00102  | A127/A130 Fairglens Interchange new link road                   | Essex       | 1.876                   | 0.497           | 3.862         |              |                    | 6.235          | 38.1%                        | 3          |
| LGF00119  | University of Essex Parkside (Phase 3)                          | Essex       | 0.000                   | 3.000           | 2.000         |              |                    | 5.000          | 60.0%                        | 4          |
| <b>Kent</b>                                     |   |             |                         |                 |               |              |                    |                |                              |            |
| LGF00012  | Kent Strategic Congestion Management programme                  | Kent        | 2.779                   | 1.621           | 0.300         |              |                    | 4.700          | 93.6%                        | 2          |
| LGF00039  | Maidstone Integrated Transport                                  | Kent        | 3.564                   | 3.336           | 2.000         |              |                    | 8.900          | 77.5%                        | 4          |
| LGF00040  | A28 Sturry Link Road  | Kent        | 1.109                   | 1.061           | 3.730         |              |                    | 5.900          | 36.8%                        | 5          |
| LGF00041  | Thanet Parkway  | Kent        | 0.000                   | 9.275           | 4.725         |              |                    | 14.000         | 66.2%                        | 3          |
| <b>Medway</b>                                   |   |             |                         |                 |               |              |                    |                |                              |            |
| LGF00022  | Medway City Estate Connectivity Improvement Measure             | Medway      | 0.621                   | 0.879           | 0.700         |              |                    | 2.200          | 68.2%                        | 3          |
| LGF00089  | IPM (Rochester Airport - phase 2)                               | Medway      | 0.570                   | 2.080           | 1.050         |              |                    | 3.700          | 71.6%                        | 5          |
| LGF00115  | IPM 2 (Rochester Airport - phase 3)                             | Medway      | 0.000                   | 0.919           | 0.600         |              |                    | 1.519          | 60.5%                        | 5          |
| <b>Southend</b>                                 |   |             |                         |                 |               |              |                    |                |                              |            |
| LGF00045  | Southend Central Area Action Plan (SCAAP) - Transport           | Southend    | 3.638                   | 3.000           | 0.362         |              |                    | 7.000          | 94.8%                        | 3          |
| LGF00115  | Southend Town Centre  | Southend    | 0.000                   | 0.868           | 0.632         |              |                    | 1.500          | 57.8%                        | 3          |
| <b>Thurrock</b>                                 |   |             |                         |                 |               |              |                    |                |                              |            |
| LGF00123  | Tilbury Riverside   | Thurrock    | 0.029                   | 1.447           | 0.884         |              |                    | 2.360          | 62.6%                        | 3          |
| <b>DfT retained schemes</b>                     |   |             |                         |                 |               |              |                    |                |                              |            |
| LGF00079  | A127 Fairglens Junction Improvements                            | Essex       | 1.500                   | 7.638           | 5.862         |              |                    | 15.000         | 60.9%                        | 4          |
| LGF00082  | A127 The Bell   | Southend    | 1.216                   | 0.385           | 2.699         |              |                    | 4.300          | 37.2%                        | 2          |
| LGF00083  | A127 Essential Bridge and Highway Maintenance                   | Southend    | 1.702                   | 2.598           | 3.700         |              |                    | 8.000          | 53.8%                        | 2          |
| <b>Total</b>                                    |   |             | <b>31.728</b>           | <b>45.686</b>   | <b>44.490</b> | <b>1.579</b> | <b>12.000</b>      | <b>135.483</b> |                              |            |

## 6. Deliverability and Risk of projects

- 6.1 Appendix 2 sets out a delivery update and risk assessment for all projects included in the LGF programme. This provides a detailed breakdown of the delivery progress for each LGF project, relative to the expected completion dates as set out in the original business cases.
- 6.2 The summary project risk assessment position is set out in Table 3 below. A score of 5 represents high risk (Red) whereas a score of 1 represents low risk (Green).
- 6.3 The risk assessment has been conducted for LGF projects based on:

- 6.1.1. **Delivery** – considers project delays and any delays to the delivery of project outputs/outcomes. SELEP has considered the delay between the original expected project completion date (as stated in the project business case) and the updated forecast project completion date.

To ensure consistency with MHCLG guidance on the assessment of LGF project deliverability risk, all projects with a greater than 3 month delay are shown as having a risk of greater than 4 (Amber/Red), unless the project has now been delivered and there is no substantial impact on the expected project outcomes delivery.

6.1.2. **Finances** – considers changes to project spend profiles, project budget, certainty of match funding contributions and amount of LGF spent forecast beyond 31 March 2021.

6.1.3. **Reputation** – considers the reputational risk for the delivery partner, local authority and SELEP Ltd.

**Table 3 LGF project risk**

| Risk Score           | Number of projects | LGF allocation to projects (£m) | LGF spend in 2020/21 and onwards (£m) |
|----------------------|--------------------|---------------------------------|---------------------------------------|
| Low risk - 1         | 47                 | 179.47                          | 6.41                                  |
| Low/Medium risk - 2  | 16                 | 97.72                           | 25.91                                 |
| Medium risk - 3      | 27                 | 176.51                          | 69.14                                 |
| Medium/high risk - 4 | 10                 | 73.57                           | 35.38                                 |
| High risk - 5        | 9                  | 51.66                           | 32.94                                 |
| Total                | 109                | 578.94                          | 169.78                                |

6.4 Detail of the high-risk projects are set out in Appendix 3. In total, £32m of unspent LGF is currently allocated to high risk projects.

6.5 As per the updates set out in Appendix 3, specific actions are recommended to the Board in relation to Exceat Bridge and M11 Junction 8.

## **7. Exceat Bridge, East Sussex**

7.1 Appendix 3 provides an update on the risks in relation to the delivery of the Exceat Bridge project. Specifically, the proposed local match funding which has not been secured, resulting in a £1.4m funding gap. No alternative funding sources have been identified to proceed with the delivery of the project at this time.

7.2 Given the uncertainty over this funding source at the point of the funding awarded being made by the Board at its last meeting, the £2.111m LGF award was subject to written confirmation being provided by East Sussex County Council that all funding sources were in place to proceed with the project.

7.3 As assurances cannot be provided over the deliverability of the project and as the conditions for the LGF award being made have not been satisfied, it is recommended that the £2.111m LGF allocation is reallocated to the LGF pipeline.

- 7.4 Whilst the project cannot currently proceed, given the funding gap, the reallocation of the £2.111m LGF away from the project will further hinder the ability of the project to proceed. As such, the proposed benefits of the project will not be delivered unless alternative funding sources can be identified to proceed with the delivery of the project. SELEP Ltd may therefore wish to consider the project for future funding streams, should a suitable funding stream become available.

### **8. M11 Junction 8**

- 8.1 As per the update in Appendix 3, a funding gap of approximately £7m has been identified, due to the increase in tender cost for the project and a reduction in other funding sources. To date £2.2m LGF has been spent on the delivery of the Project, relative to a total allocation of £2.8m; leaving £0.5m unspent.
- 8.2 The project has been placed on hold by Essex County Council whilst options are considered, and alternative funding sources are sought. It is recommended to the Board that the LGF spend is placed on hold until a delivery route has been identified and for a further update to be provided to the Board in November 2020.
- 8.3 Given the pressing need to ensure high risk issues are addressed prior to an Option 4 swap being implemented at the end of 2020/21, it is recommended that an options report should be presented to the Board at its meeting in November 2020. This specific agenda item on the project should look to identify a means to bridge the funding gap or for the remaining £0.5m unspent LGF to be considered for reallocated to LGF pipeline projects.
- 8.4 Assurances will also be sought from ECC finance to ensure that the £2.2m LGF spend to date remains a capital cost, in line with the conditions of the LGF grant from Central Government.

### **9. LGF pipeline**

- 9.1 At the last meeting of the Board, the Board awarded £1.684m to the NIAB project based on the value of unallocated LGF available at the time of the meeting. The only project now remaining on the LGF pipeline is the Queens Street Grow on Space, Colchester project, seeking £3.777m LGF.
- 9.2 If the Board agree the recommendation set out under section 6, for the return of £2.111m LGF to the pipeline, this will provide part, but not all, of the funding required for the Queens Street project. As such, unless the scheme promoters can proceed with a reduced allocation of £2.111m LGF, the Queens Street project will remain on the LGF pipeline until sufficient funding becomes available to support the project (for a period of up to six months).
- 9.3 As a majority of the LGF pipeline projects have now received an LGF funding award and given the number of high-risk projects which remain in the LGF



programme, SELEP Ltd will be asked to agree how future priorities for LGF investment should be determined.

### **10. LGF Programme Risks**

- 10.1 In addition to project specific risks, Appendix 4 sets out the overall programme risks. The main risks include the impact of COVID-19 crisis on the delivery (and pace of delivery) of project outputs and outcomes, which could impact the overall value for money achieved through the delivery of the programme.
- 10.2 The risk relating to the final third of LGF funding has been removed from the programme risk register, as the funding from MHCLG has now been received in full.

### **11. Financial Implications (Accountable Body comments)**

- 11.1 All funding allocations which are agreed by the Board are dependent on the Accountable Body receiving sufficient funding from HM Government. The Accountable Body has now received the final third of LGF from MHCLG in August 2020, meaning the full allocation of totalling £77.873m has been received.
- 11.2 The use of “Option 4 capital swap” as discussed in section 5 (LGF spend beyond the Growth Deal period) of this report is permissible under the SLA’s in place between ECC as Accountable Body and the local authority partners. Written confirmation from the S151 officer for each Local Authority that they are comfortable with the proposed approach to apply the option 4 LGF capital swap as required at the end of 2020/21, has been received.
- 11.3 The application of Option 4 capital swap will be subject to an Accountability Board Decision.
- 11.4 Government has made future funding allocations contingent on full compliance with the revised National Local Growth Assurance Framework. Allocations are also contingent on the Annual Performance Review of SELEPs LGF programme by Government and assurance from the Accountable Body’s S151 Officer that the financial affairs of the SELEP are being properly administered.
- 11.5 A key assessment made in the Annual Performance Review is effective delivery of the Programme; it is noted that there was a high level of slippage from 2019/20 into 2020/21 totalling £49.926m; in addition, slippage in excess of £45.808m (excluding DfT programmes) is already reported into 2021/22.
- 11.6 The Exceat Bridge programme is recommended under 2.1.4 to have it’s £2.111m LGF allocation to be reallocated to the LGF pipeline. This is in line with the requirements of the SELEP Assurance Framework.

- 11.7 In considering the recommendation for the removal of this scheme from the LGF programme, the Board is advised to assess the risk of further delay in spend of LGF in ensuring best use of funding and securing value for money in the use of the grant.
- 11.8 As part of the LGF programme review to Central Government in June 2020, the Accountable Body and SELEP reported spend in full of the LGF programme by 31 March 2020, either through deliverability of the projects or using the Option 4 mechanism. The LGF project delay's outlined in Queensway Gateway Road, Sturry Link Road and Bexhill Enterprise Park North reports, highlight a risk that SELEP and the Accountable Body will be unable to evidence project spend by the end of the Growth Deal. These Project's will be considered as part of an overall LGF programme review at the October 2020 meeting of the Strategic Board, in which they will be asked to consider all LGF projects deemed high risk. These projects will need to seek continued endorsement from the Board as to the viability of their delivery.
- 11.9 Essex County Council, as the Accountable Body, is responsible for ensuring that the LGF funding is utilised in accordance with the conditions set out by Government for use of the Grant.
- 11.10 Should the funding not be utilised in accordance with the conditions, the Government may request return of the funding, or withhold future funding streams.
- 11.11 The Accountable Body is ensuring that the grant is spent in line with the Grant Determination letter condition, which does not impose an end date for use.

## **12. Legal Implications (Accountable Body comments)**

- 12.1 There are no legal implications arising from this report. As set out within this report, the grant funding will be administered in accordance with the terms of the Grant Determination Letter between the Accountable Body and Central Government, and used in accordance with the terms of the Service Level Agreements between the Accountable Body and the Partner Authorities.

## **13. Equality and Diversity implication**

- 13.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when a public sector body makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.

## Local Growth Fund Capital Programme Update

- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 13.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.
- 13.3 In the course of the development of the project business case, the delivery of the Project and the ongoing commitment to equality and diversity, the promoting local authority will ensure that any equality implications are considered as part of their decision making process and where possible identify mitigating factors where an impact against any of the protected characteristics has been identified.

### 14. List of Appendices

- 14.1 Appendix 1 - LGF spend forecast update
- 14.2 Appendix 2 - Project deliverability and risk update
- 14.3 Appendix 3 – High Risk Projects
- 14.4 Appendix 4 – LGF Programme Risks

### 15. List of Background Papers

- 15.1 None

**(Any request for any background papers listed here should be made to the person named at the front of the report who will be able to help with any enquiries)**

| Role   | Date     |
|--|----------|
| <b>Accountable Body sign off</b><br><br>Peter Shakespear<br>(On behalf of Nicole Wood, S151 Officer, Essex County Council) | 08/09/20 |