

From: **Derek Murphy, Cabinet Member, Economic Development**
**Simon Jones - Corporate Director of Growth,
Environment & Transport**

To: Growth, Economic Development and Communities Cabinet
Committee – 11 January 2023

Subject: **Kent & Medway Business Fund Bi-Annual Monitoring –
Q2 2022/23**

Classification: **Unrestricted**

Summary: This report summarises the results of KCC’s monitoring returns from businesses that have received loans and equity from KCC managed Government funded Business Investment Schemes – this consists of the current Kent and Medway Business Fund (KMBF) scheme and the former Regional Growth Fund (RGF) schemes.

Since 2012, the number of new and protected jobs recorded up to the end of September 2022 is 5,093, consisting of 3,627 new jobs and 1,466 protected jobs. The average cost per job is £1,005

Loan repayments to the end of Q2 2022/23 of the value of £35,077,087 have been received. These repayments are being recycled through the Kent and Medway Business Fund to enable KCC to continue to offer financial support for new investment.

Out of the 100 loans being reported, 63% are rated as Green or Amber. 37% are rated as Red. (Covered in paragraphs 3.2 and 3.3).

Recommendation: The Growth, Economic Development and Communities Cabinet Committee is asked to note this report.

1. Background Information

1.1 The Regional Growth Fund (RGF) was established in June 2010 by the Department for Business, Innovation and Skills now the Department for Business, Energy, and Industrial Strategy (BEIS) with three objectives:

- To facilitate new investment by private sector enterprise with the aim to support projects with significant potential for economic growth and to create sustainable private sector employment.
- To help those areas and communities that were particularly dependent on the public sector to make the transition to sustainable private sector-led growth and prosperity; and
- To address a market failure in the provision of bank lending to viable small and medium sized businesses who had a limited credit history or track record and required finance on flexible terms given their limited collateral.

- 1.2 The Government's Regional Growth Fund allocated £55 million from the KCC between 2011 and 2014. This funded three RGF schemes covering the whole of Kent and Medway and additional local authority areas:
- Expansion East Kent (East Kent - £35 million);
 - Tiger (North Kent and Thurrock - £14.5 million);
 - Escalate (West Kent and parts of East Sussex - £5.5 million).
- 1.3 These RGF schemes provided grants, loans, and equity investments for businesses with investment plans leading to job creation and growth from November 2011 to January 2016. For most businesses, loan finance was provided at 0% interest, with a repayment period of between five and seven years. The schemes also allocated grants and equity investments.
- 1.3 From January 2017, KCC used the recycled RGF loan repayments to enable the Kent and Medway Business Fund (KMBF) to provide loans and equity investments ranging between £50,000-£500,000 to eligible businesses across Kent and Medway. The majority of funding recipients receive 0% interest loans, with a repayment period of up to five years. The recycled RGF loan repayments are also used to finance the Kent Life Sciences (KLS) Fund, a sub-programme of the KMBF scheme. This provides equity investments predominantly in the life science sector.
- 1.4 A summary of the equity investments can be found in Section 4 of this report.
- 1.5 All applications to RGF schemes and the KMBF undergo due diligence inquiries from an independent financial appraiser (Kreston Reeves) and KCC Finance colleagues before being examined by the Investment Advisory Board (IAB). The majority of the members of this Board come from the private sector, including Finance and Banking, Manufacturing, and the Scientific and Creative Industries. Once an application has been reviewed by the Board, it makes a recommendation to KCC to Approve or Reject the project and what conditions should be set if funding is approved.
- 1.5 The scheme uses Bevan Brittan LLP, Freeths Ltd and Invicta Law Ltd to provide advice on contracts, insolvency issues and work with the KCC Business Investment Team to recover the maximum amount of loan value.
- 1.6 KCC Internal Audit oversees the investment procedures and processes and advise on other matters related to the use of the funds. A recent KCC Internal Audit report identified One High Risk, Three Medium Risks and Two Low Risks related to the Kent and Medway Business Fund.
- 1.7 This report was extensively discussed at the Governance and Audit Committee on the 19th October 2023. Following on from this meeting a plan of action is being prepared with the support of the Corporate Director Finance and KCC Finance colleagues. Progress on this plan action will be regularly reported and monitored by the Governance and Audit Committee.
- 1.8 In order to reduce the risk of default, KCC requires applicants to provide some form of security, whether through assets, property, or personal guarantees for all loans over £100,000. For loans between £26,000 and £99,999, security is not taken.

- 1.9 Where businesses find it difficult to repay the loans, KCC can offer to restructure their debt to support further business growth and resume repayments. In cases of non-engagement, KCC pursues loan recovery through Security or Personal Guarantees, where applicable (see Section 2.1).
- 1.10 Working with an independent financial appraiser (Kreston Reeves) and KCC Finance colleagues, KCC has established a Debt Recovery Working Group, a sub-group of the IAB, to advise on technical issues related to the recovery of existing investments (see Section 2.1).
- 1.10 Many loan recipients have incurred economic disruption caused by the impact of Covid-19 outbreak. This report will outline the various actions undertaken to support businesses in receipt of loan and equity investment from the former RGF schemes and the Kent and Medway Business Fund.
- 1.11 KCC has recently produced a video including interviews with successful Kent and Medway Business Fund recipients and Members are encouraged to watch. This can be found at: <https://vimeo.com/744641721/16bad335df>

2. Update on Government Funded KCC Business Investment Schemes

- 2.1 The table below shows the total funding committed in loan and equity investments, broken down by local authority area, the number of jobs created/protected and private sector investment (leverage) cumulatively as of the 30 September 2022.

Districts	Funding per Local Authority £	Private Investment £	No of Businesses	No of Jobs Created	No of Jobs Protected	Total Number of Jobs
Ashford	£1,139,600	£982,928	18	44	32	76
Canterbury	£9,270,080	£9,737,619	60	1,330	87	1,417
Dartford	£2,470,115	£2,238,578	16	141	53	194
Dover	£13,929,970	£18,791,422	57	407	216	623
Folkestone & Hythe	£6,513,468	£10,175,900	30	209	121	330
Gravesham	£881,062	£843,375	5	55	60	115
Maidstone	£3,398,837	£3,629,936	20	110	92	202
Medway	£4,798,621	£4,246,218	26	221	150	371
Rother (1)	£136,250	£136,250	3	34	3	37
Sevenoaks	£644,000	£760,472	7	48	18	66
Swale	£7,685,202	£19,140,158	27	286	287	573
Thanet	£8,841,256	£11,639,724	64	466	284	750
Thurrock (2)	£881,700	£1,421,355	5	72	13	85
Tonbridge & Malling	£1,473,510	£1,487,798	13	49	21	70
Tunbridge Wells	£1,993,000	£2,257,250	16	150	25	175
Wealden (1)	£200,000	£200,000	1	5	4	9
Total	£64,256,671	£87,688,983	368	3,627	1,466	5,093

(1) Not part of the eligible area for the Kent and Medway Business Fund since 2017

(2) KCC is now working with Thurrock to develop a fund managed by KCC to support Thurrock businesses as agreed in Key Decision 20/00103.

- 2.2 All businesses are still required to complete a monitoring return as part of their loan agreements with the County Council and these must include employment contracts and copies of payroll as evidence for jobs created and protected.
- 2.3 The cumulative total of jobs that have been created or protected is 5,093 as of 30 June 2022. This is a decrease of 10 since the last report submitted to this Committee in May 2022 (5,103). It has seen job losses in some companies, and we anticipate further losses in 2022-23 due to the long-term impacts of the Covid-19 combined with the rise in energy and commodity prices. These market conditions may lead to a slowdown in investment and employment creation. There is an overall target of 5,990 jobs (4,402 new jobs and 1,588 protected jobs) for the period up to March 2023.

3. Loan Monitoring

- 3.1 As part of the loan agreement, each business is contracted to provide a quarterly monitoring return. These returns are in arrears of the previous quarter, and upon receipt and internal validation, one of the following RAG ratings is applied:
- Green Risk Status: full return received and no outstanding issues;
 - Amber Risk Status: partial return received and/or some issues regarding contracted milestones;
 - Red Risk Status: Category A (Debt); Category B (No monitoring return); Category C (Non-achievement of key milestones/targets, including loan repayment, job outcomes and/or delay to planned objectives).
- 3.2 Out of the 100 being reported on during the monitoring period 1 June 2022 to 30 June 2022, 63 (63%) of returns were flagged as Green or Amber. The value of those loans was £7,928,234.
- 3.3 Of the total number monitored during the period 16 businesses (owing £1,073,312) identified were in the Red Category B (Nil or incomplete monitoring return) and 19 businesses (owing £1,592,953) were identified as Red Category C (Non-achievement of key milestones/targets).
- 3.4 78 businesses have had loans which are in Category A (Debt) with a value of £10,564,500 of which £2,989,317 has so far been recovered.
- 3.5 The total of funds not yet recovered is £7,515,233 which equates to 11.78% of the total loan and equity investments made to date. As a comparator the government British Business Bank Start Up Loans (SUL) scheme lends to entrepreneurs via a number of delivery partners at an interest rate of 6%. Losses on these loans are expected to be between 30% and 40% of the total loans advanced, reflecting the non-commercial nature of the scheme.
- 3.6 This includes businesses which KCC is still actively pursuing to repay the debt and where further debt recovery is still possible (£2,454,768).
- 3.7 The total value of RGF loans where debt recovery is no longer possible is £5,120,465.

4. Equity Investments

- 4.1 Between 2013 and 2016 KCC made equity investments in 19 businesses at a cumulative initial value of £8,990,634 at the time the respective equity investments were made. KCC has fully exited from one business and partially exited from another business.
- 4.2 In January 2017 the Kent Life Sciences (KLS) Fund was established with the aim of making equity investments in companies with game-changing medical technologies and advanced therapeutics.
- 4.3 This sector was targeted because of its high growth potential and the opportunities it offered to build upon the facilities offered by Discovery Park, Kent Science Park and the Kent based universities. KCC has committed equity investments to nine businesses at a cumulative initial value of £4,525,000. KLS is funded from recycled RGF loan repayments.
- 4.4 In making these equity investments, KCC sees its role as a “patient investor” and it is anticipated the Council will not accrue a positive return from most of the businesses for a further three to five years.
- 4.5 Newable Ltd and NCL Technology Ventures (NCL) have been appointed by KCC to manage, monitor, and oversee these investments. NCL work with businesses to design an appropriate exit strategy for each investment.
- 4.6 Quarterly reports on the performance of all the equity investments are provided to the KMBF Investment Advisory Board (chaired by a KCC Member) and an annual report is provided to the KCC Governance and Audit Committee as part of the reporting on companies in which KCC has an interest.
- 4.7 Newable and NCL have designated seven of KCC’s equity investments as having Green Risk Status, 10 as Amber Risk Status and five as Red Risk Status. Five of KCC’s equity investments (total initial value £3,394,072) are designated as Debt as of September 2022.
- 4.8 To mitigate the potential impact of the current economic conditions on companies in receipt of equity funding, KCC has been working with Newable and NCL to ensure that the innovative companies in which KCC invested have received specialist support and assistance.

5. Cost per Job

- 5.1 The cumulative amount of repayments expected in the ten years to September 2022 was £38,442,501. The actual amount receipted by the end of September 2022 was £35,077,087 which represents an achievement of 91.25%. In terms of the unrecovered funds, the cost per job is £1,005.
- 5.2 In terms of the total loan and equity awarded by the former RGF and KMBF schemes the average “cost” per job is £12,617 in comparison with the national average for Regional Growth Fund Schemes of £37,400 per job (over the first four RGF rounds according to the 2014 National Audit Office report on the Regional Growth Fund).

6. Financial Implications

- 6.1 The capital costs of loan and equity investments are sourced from current and future recycled loan and equity investments from the KMBF and former RGF schemes.
- 6.2 The annual cost to KCC of administering the KMBF scheme (inc. staff, legal, appraisal and monitoring costs) is £450,000 per annum. The revenue costs of this activity will be funded from two sources:
- a) a management charge of 5% levied from the fund on the value of all investments made to companies; and
 - b) an administrative charge of 5% levied from the companies on the value of all loans.

This makes the scheme self-funding.

7. Legal

- 7.1 KCC has two contracts with BEIS and it also has legal agreements with the company undertaking independent financial appraisals and the company managing the equity portfolio.

8. Policy Framework

- 8.1 The KMBF is in-line with Priority 1: Levelling Up Action 3 of KCC's Strategic Statement Framing the Future: Framing Kent's Future – Our Council Strategy, as the scheme seeks to attract national and international investment to businesses in the county.

9. Equalities implications

- 9.1 An Equality Impact Assessment (EqIA) was undertaken in October 2022 and is attached to this report.
- 9.2 The EqIA will be kept under review as the project progresses.

10. Data protection

- 10.1 The existing privacy notice covers the operation of the KMBF and no new data protection issues arise due to the contents of this paper.

11. Recommendation

- 11.1 The Growth, Economic Development and Communities Cabinet Committee is asked to note this report.

12. Background documents:

- 12.2 SQW Evaluation of the Kent and Medway Business Fund:
<https://democracy.kent.gov.uk/documents/s115722/EvaluationoftheKentandMedwayBusinessFund.pdf>

12.2 Kent and Medway Business Fund EqIA:

<https://democracy.kent.gov.uk/documents/s115719/KentandMedwayBusinessFundEqIA.pdf>

13. Contact details

Report Author: Martyn Riley Project Manager Tel: 03000 417161 martyn.riley@kent.gov.uk	Relevant Director: Stephanie Holt-Castle Director for Growth and Communities Tel: 03000 412064 stephanie.holt-castle@kent.gov.uk
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