

Date: 11 July 2022

The logo for Eden District Council features the word "Eden" in a large, elegant, serif font. A stylized, wavy line resembling a river or a path flows through the letter 'E'.

District Council

Town Hall, Penrith, Cumbria CA11 7QF

Tel: 01768 817817

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Dear Sir/Madam

Cabinet Agenda - 19 July 2022

Notice is hereby given that a meeting of the Cabinet will be held at 6.00 pm on Tuesday, 19 July 2022 in The Main Hall, Shap Memorial Hall, Shap, CA10 3NL.

Please note: if you would like to attend this meeting, we request that you contact Democratic Services to let us know. Contact details are below*. We would also request that wherever possible, those attending continue to wear face coverings and practice hand sanitising measures. This is due to ongoing concerns in relation to the Covid pandemic.

1 Apologies for Absence

2 Minutes

RECOMMENDATION that the public minutes:

1. CAB/01/06/22 to CAB/10/06/22 of the meeting of the Cabinet held on 21 June 2022 and;
2. CAB/11/06/22 to CAB/18/06/22 of the meeting of the Cabinet held on 27 June 2022

be confirmed and approved by the Chairman as a correct record of those proceedings (copies previously circulated).

3 Declarations of Interest

To receive declarations of the existence and nature of any private interests, both disclosable pecuniary and any other registrable interests, in any matter to be considered or being considered.

4 Questions and Representations from the Public

To receive questions and representations from the public under Rule 5 of the Cabinet (Executive) Procedure Rules of the Constitution

5 Questions from Members

To receive questions and representations from Members under Rule 4 of the Cabinet (Executive) Procedure Rules of the Constitution

6 Refurbishment of the Gym at Penrith Leisure Centre *(Pages 5 - 8)*

To consider Report No DCE37/22 of the Assistant Director Communities and the Assistant Director Finance.

The capital programme currently contains £464k for Leisure Centre Equipment and Maintenance. This report proposes to spend up to £380k of this budget, leaving a balance of £84k for other projects.

To seek approval to award a contract for gym equipment following a tender process including delegated authority to enter into negotiations to finalise the contract detail.

To seek approval for delegated authority to officers to spend up to £100,000 of the capital budget set aside to refurbish and update the gym, following the procurement rules. This will include Wi-Fi, electrics, floor coverings, décor and lighting.

RECOMMENDATION:

1. That Cabinet approves the award of the contract for gym equipment to Life Fitness Ltd.
2. That the Deputy Chief Executive is given delegated authority to approve contract negotiations up to the value of £280,000.
3. That the Deputy Chief Executive is given delegated authority to approve contracts totalling £100,000 from the Capital Programme budget for Leisure Centre Equipment and Maintenance, for contracts supporting the gym refurbishment.

7 Inspiring Eden - Update *(Pages 9 - 18)*

To consider Report No: DCE39/22 of the Assistant Director Development which seeks to present, for approval:

- An update on Inspiring Eden Expressions of Interest process and next steps.
- Interventions that will form the basis of the Eden Investment Plan to draw down Eden's share of the UK Shared Prosperity Fund (UKSPF) as the basis for submission on 1 August 2022.

The Report also provides a progress update on the Inspiring Eden Delivery Programme and associated activity.

As well as driving local economic recovery and prosperity Inspiring Eden will ensure Eden District Council is well placed to shape the economic policy focus and associated work streams as part of both the local government reorganisation process across Cumbria and the national review of local enterprise partnerships.

RECOMMENDATION: It is recommended that:

1. The update to the assessment of the Inspiring Eden Expressions of Interests are noted.
2. Authority is delegated to the Assistant Director Development, in consultation with the Portfolio Holder for Economy and Enterprise, to agree the allocation of the current Inspiring Eden Investment Fund budget against specific projects.
3. Proposed interventions for inclusion in the Inspiring Eden UK Shared Prosperity Fund Investment plan, as detailed in Section 3.4 of this report, are agreed in principle with authority delegated to the Assistant Director Development, in consultation with the Portfolio Holder for Economy and Enterprise, to finalise and submit the investment plan by the deadline on 1 August.

8 Management of Processes related to Planning Obligations under s106 of the Town and Country Planning Act 1990 *(Pages 19 - 24)*

To consider Report No: DCE41/22 of the Assistant Director Development which seeks to advise Cabinet of the progress being made by the Overview and Scrutiny Committee's Task and Finish Group looking at Section 106 Management Processes. This includes an interim recommendation from the group which was agreed by the Overview and Scrutiny Committee at its meeting on 7 July 2022.

RECOMMENDATION: The Overview and Scrutiny recommends to Cabinet that:


- a fixed term post is created and funded, as set out in paragraph 6.1.2 of this report, to complete the review of Section 106 Agreements and the work of the Task and Finish Group and maintain the monitoring of Section 106 Agreements up to the vesting of Westmorland and Furness Council.

9 Any Other Items which the Chair decides are urgent

10 Date of Next Scheduled Meeting

The date of the next scheduled meeting of Cabinet be agreed as the 20 September 2022.

Yours faithfully,



I Frost
Interim Chief Executive

*Democratic Services Contact: Email: cttee.admin@eden.gov.uk
or telephone: 01768 212266

Encs

For Attention

All members of the Council

Chair – Councillor V Taylor (Liberal Democrat Group)

Vice Chair – Councillor M Robinson (Independent Alliance Group)

Councillors

J Derbyshire, Liberal Democrat Group

L Sharp, Labour Group

K Greenwood, Independent Alliance Group

M Tonkin, Independent Alliance Group

M Rudhall, Liberal Democrat Group

Standing Deputies

Please Note: Under the Openness of Local Government Bodies Regulations 2014 this meeting has been advertised as a public meeting (unless stated otherwise) and as such could be filmed or recorded by the media or members of the public

Report No: DCE37/22

Eden District Council

Cabinet

19 July 2022

Refurbishment of the Gym at Penrith Leisure Centre

Portfolio:	Communities
Report from:	Assistant Director Communities and Assistant Director Finance
Wards:	All Wards
OPEN PUBLIC ITEM	

1 Purpose

- 1.1 The capital programme currently contains £464k for Leisure Centre Equipment and Maintenance. This report proposes to spend up to £380k of this budget, leaving a balance of £84k for other projects.
- 1.2 To seek approval to award a contract for gym equipment following a tender process including delegated authority to enter into negotiations to finalise the contract detail.
- 1.3 To seek approval for delegated authority to officers to spend up to £100,000 of the capital budget set aside to refurbish and update the gym, following the procurement rules. This will include Wi-Fi, electrics, floor coverings, décor and lighting.

2 Recommendation

- 2.1 That Cabinet approves the award of the contract for gym equipment to Life Fitness Ltd.
- 2.2 That the Deputy Chief Executive is given delegated authority to approve contract negotiations up to the value of £280,000.
- 2.3 That the Deputy Chief Executive is given delegated authority to approve contracts totalling £100,000 from the Capital Programme budget for Leisure Centre Equipment and Maintenance, for contracts supporting the gym refurbishment.

3 Report Details

Background

- 3.1 When the Leisure Management Contract was awarded in 2012, a Repairs and Renewals fund was set up to fund items that were agreed sat outside the contract. One such area is the fitness equipment in the gym which has served Penrith Leisure Centre well. But it is now at the end of its expected life and upgrade limitation and needs replacing. Gym design, layout and connection requirements have all changed, and the current gym floor covering, décor and lighting is in need of replacing.

Tender Process

- 3.2 During February 2022, and with consultation with Greenwich Leisure Limited (GLL), the Council conducted a procurement exercise and went out to public tender to replace the gym equipment and refurbish the gym at Penrith Leisure Centre.
- 3.3 The Invitation To Tender (ITT) document specified the supply and installation of “accessible, inclusive and sustainable” gym equipment. It had to be similar or equal to two established commercial fitness equipment manufacturers who are industry leaders in providing a quality best value product package. Life Fitness provided the equipment currently used in the gym at Penrith Leisure Centre. The ITT document also invited the supplying companies to submit a bid to carry-out refurbish works to the gym.

Tender Submissions and Evaluation

- 3.4 The Council received four submissions. One was incomplete and so not considered. A second did not meet the specification criteria and so scored third. The two other submissions both submitted bids for the supply and install of equipment, but also both quoted separately to sub-contract the refurbishment works at a premium. The ITT document foreseeing this scenario gave the Council the option to procure the refurbishment works directly if better value for money could be achieved.
- 3.5 Three of the submissions were all short listed and invited to present their submission in person to a small panel from Greenwich Leisure Limited (GLL) and Eden council officers. The panel also visited one site each nominated by two of the bidders to evaluate their offer in an operational setting. All of which was then scored to the guidance set out in the ITT document. The evaluation process was independently checked.
- 3.6 Overall, the first place submission obtained the best scoring (70%) with the second place submission receiving 60% and we therefore seek approval to award the contract for Gym Equipment to the first place submission, Life Fitness Ltd.

Contract Award Process

- 3.7 The tender processes requested that solutions be provided with costings (with some minimum criteria). The tender scoring took into account that different solutions were provided. However the solutions provided by the suppliers did not have to be the final specification and once we had determined the winning supplier, the Council would then work with the supplier to finalise the solution before the contract is awarded.
- 3.8 Initial discussions with Life Fitness Ltd have determined that an appropriate solution should be able to be agreed within the proposed figure of £280,000.

Gym Refurbishment excluding Equipment

- 3.9 This report further requests officers be given authorisation to spend up to £100,000 to procure directly from suppliers locally the refurbishment/update of the Wi-Fi, floor covering, décor and lighting of the gym at Penrith Leisure Centre from a Repair and Renews budget set aside. Information on the financial budget is contained in section 6.1.

4 Policy Framework

4.1 The Council has four corporate priorities which are:

- Sustainable;
- Healthy, safe and secure;
- Connected; and
- Creative

4.2 This report meets the Healthy, Safe and Secure corporate priority.

5 Consultation

5.1 The Communities Portfolio Holder has been consulted, also the Council's leisure provider Greenwich Leisure Limited (GLL) who operate the Gym have been consulted and will continue to be consulted as the project develops.

6 Implications

6.1 Financial and Resources

6.1.1 Any decision to reduce or increase resources or alternatively increase income must be made within the context of the Council's stated priorities, as set out in its Council Plan 2019-2023 as agreed at Council on 7 November 2019.

6.1.2 The capital programme currently contains £464k for Leisure Centre Equipment and Maintenance. This report proposes to spend up to £380k of this budget, leaving a balance of £84k for other projects.

6.2 Legal

6.2.1 The appropriate Legal agreements will be drawn up by the Council's legal department.

6.3 Human Resources

6.3.1 There are no Human Resources implications apart from time taken in undertaking the proposal/installation.

6.4 Environmental

6.4.1 The impact of the project on the environment was considered in the ITT document, and scored as part of the tender evaluation process.

6.5 Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	In choosing the winning submission consideration was given to providing for accessibility and inclusion.
Health, Social Environmental and Economic Impact	The refurbishment of the gym will allow continued use of the facility for Health and Fitness at a reduced carbon production.
Crime and Disorder	No Implications
Children and Safeguarding	No Implications

6.6 Risk Management

Risk	Consequence	Controls Required
The Gym equipment is out of date and becoming unreliable. Needs to be replaced in order to provide a modern attractive facility with up to date equipment, software and customer connectivity.	Equipment breaks-down beyond economic repair. Customer numbers and viability of the Gym reduces.	Ensure a full range of accessible and sustainable equipment is installed suitable for all PLC customer needs. Work with chosen supplier and Leisure Contractor to ensure best fit for wide range of customers and best value package.

7 Other Options Considered

- 7.1 The process for selecting a supplier for the gym equipment was done by a tender process with 4 submissions. The submissions were scored for most economically advantageous.
- 7.2 The option to include the other refurbishment elements were included in the tender however the returns for these elements were not considered economically advantageous so are proposed to be omitted from the award and quotes sought separately from experts in each area.

8 Reasons for the Decision/Recommendation

- 8.1 The Installation of new equipment and refurbishment of the Gym will ensure the success of the Gym and retain members in an increasingly competitive market.

Tracking Information

Governance Check	Date Considered
Chief Finance Officer (or Deputy)	11 July 2022
Monitoring Officer (or Deputy)	11 July 2022
Relevant Assistant Director	06/07/22 – Assistant Director Finance

Background Papers: None

Appendices: None

Contact Officer: Doug Huggon, Communities and Wellbeing Manager

Report No: DCE39/22

Eden District Council

Cabinet

19 July 2022

Inspiring Eden – Update

Portfolio:	Economy and Enterprise
Report from:	Assistant Director Development
Wards:	All Wards
OPEN PUBLIC ITEM	

1 Purpose

- 1.1 The purpose of this report is to present, for approval:
- An update on Inspiring Eden Expressions of Interest process and next steps.
 - Interventions that will form the basis of the Eden Investment Plan to draw down Eden’s share of the UK Shared Prosperity Fund (UKSPF) as the basis for submission on 1 August 2022.
- 1.2 The Report also provides a progress update on the Inspiring Eden Delivery Programme and associated activity.
- 1.3 As well as driving local economic recovery and prosperity Inspiring Eden will ensure Eden District Council is well placed to shape the economic policy focus and associated work streams as part of both the local government reorganisation process across Cumbria and the national review of local enterprise partnerships.

2 Recommendations

It is recommended that:

1. The update to the assessment of the Inspiring Eden Expressions of Interests are noted.
2. Authority is delegated to the Assistant Director Development, in consultation with the Portfolio Holder for Economy and Enterprise, to agree the allocation of the current Inspiring Eden Investment Fund budget against specific projects.
3. Proposed interventions for inclusion in the Inspiring Eden UK Shared Prosperity Fund Investment plan, as detailed in Section 3.4 of this report, are agreed in principle with authority delegated to the Assistant Director Development, in consultation with the Portfolio Holder for Economy and Enterprise, to finalise and submit the investment plan by the deadline on 1 August.

3 Report Details

3.1 Inspiring Eden Work Stream Prospectus Consultation

3.1.1 Inspiring Eden is being developed around the following family of documents (which can be added to if /as required):

- **State of the District Report** – To be produce in autumn 2022
- **Economic Prospectus** – Published in January 2022
- **Work Streams Prospectuses** – To be produced through 2022
- **Annual Economic Report** – To be produce in autumn 2022

3.1.2 Inspiring Eden has established a clear policy position and direction of travel to galvanise the Council and it partners behind their collective response to current economic factors with a particular focus on the impact of the pandemic, Brexit, emerging national rural and environmental agendas and the opportunities presented in shaping an economy underpinned by decarbonisation. The flexibility of this approach will enable the policy focus and direction of travel to pivot as required to unlock the full potential of local and strategic capacity, capability and associated resources. It will also provide a clear direction for the new unitary authority in respect of economic development ambitions for Eden which could be applied on the wider geography of the new authority.

3.1.3 Inspiring Eden will support delivery of the Council's Corporate Plan, other relevant policies (such as the local plan) and the Local Industrial Strategy as well as national agendas regarding productivity, entrepreneurship and rebalancing the economy along with best practice around economic development.

3.2 Inspiring Work Stream Prospectuses

3.2.1 Consultations has been undertaken for the following four Inspiring Eden work stream prospectuses:

- Visitor Economy
- Business Support
- Business Charter
- Rural Economy

3.2.2 Given the extensive stakeholder engagement already undertaken before this final round of consultations, the main thrust of responses was support and the need to focus on delivery. The only substantive proposed change is to embed the emerging Rural Enterprise, Arts and Culture Hub (REACH) theme across all Inspiring Eden policy and delivery documents. This theme has emerged from discussions around LUF, the ambition to unlock the full potential that arts and culture can bring to driving enterprise and entrepreneurship and contribute to achieving rural excellence. It is considered that this focus will help Eden stand out as a district at the forefront of grasping the levelling up challenges and opportunities facing rural communities and economies.

3.2.3 It is proposed that the Inspiring Eden Enterprise Hub (detailed in 3.4 below) is developed as a platform for delivering REACH and, for this reason, is

recognised as a priority project and catalyst for achieving and driving forward the ambitions set out in the Inspiring Eden Economic Prospectus and associated work streams.

3.2.4 The other work stream prospectuses will be produced over the coming months and presented to Cabinet for approval following consultation.

3.3 Update on Development of Inspiring Eden Levelling Up Programme

3.3.1 To date 104 Inspiring Eden Expressions of Interest (EOI) have been subject to an initial evaluation to help develop a comprehensive pipeline and programme of projects to:

- Inform the Levelling Up Fund Round 2 Bid – Analysis has highlighted that only the REACH Inspiring Eden Enterprise Hub met all the necessary criteria (especially with regards to deliverability) as agreed by Cabinet in June;
- Inform the production of the UKSPF Investment plan over the coming weeks around a range of interventions; see Section 3.5 below. This will include working in partnership with South Lakeland District Council, Barrow Borough Council and Cumbria County Council to develop a joined up approach;
- Inform the production of other bids and investment plans including the current Borderlands Inclusive Growth Deal for Penrith; and
- Produce an Inspiring Eden Levelling Up Prospectus to describe and present the overarching Inspiring Eden Programme and how the EOIs will be moved forward to support project development and delivery.

3.3.2 The evaluation of the EOIs included an assessment of each project against strategic fit, value for money and deliverability criteria along with a recommendation as to next steps which will include (not an exhaustive list):

- Being invited to complete a full application towards being considered for inclusion in funding bids or investment plans;
- Signposting to existing programmes to seek support eg Greening Eden Business Grants, Inspiring Eden Apprenticeship Grants and Inspiring Eden Welcome back Fund;
- Provision of project support to develop the project to a position where it could be considered ready for completing a full application; and
- Consideration for new local government arrangements post 1 April 2023.

3.3.3 With regards to those EOIs being invited to submit a full application, consideration will need to be given to those projects that can be completed in the current financial year. It is proposed that authority is delegated to the Assistant Director Development, in consultation with the Portfolio Holder for Economy and Enterprise, to agree the allocation of the current Inspiring Eden Investment Fund budget (£780k agreed as part of this year's budget) against specific projects.

3.4 Inspiring Eden UK Shared Prosperity Fund Investment Plan (UKSPF)

3.4.1 Following an assessment of current proposals via the Inspiring Eden Expression of Interest process and the aims of our economic strategy, the focus for Eden's UKSPF investment plan will be developed around the following 15 interventions that have been identified as most relevant from the suite of 41 interventions set out in the Government guidance:

- E1: Funding for improvements to town centres and high streets.
- E6: Support for local arts, cultural, heritage and creative activities.
- E7: Support for active travel enhancements in the local area.
- E8: Funding for the development and promotion of wider campaigns which encourage people to visit and explore the local area.
- E9: Funding for impactful volunteering and/or social action projects to develop social and human capital in local places.
- E10: Funding for local sports facilities, tournaments, teams and leagues; to bring people together.
- E11: Investment in capacity building and infrastructure support for local civil society and community groups.
- E12: Investment in community engagement schemes to support community involvement in decision making in local regeneration.
- E13: Community measures to reduce the cost of living, including through measures to improve energy efficiency, and combat fuel poverty and climate change.
- E23: Strengthening local entrepreneurial ecosystems, and supporting businesses at all stages of their development to start, sustain, grow and innovate, including through local networks.
- E24: Funding for new and improvements to existing training hubs, business support offers, 'incubators' and 'accelerators' for local enterprise.
- E29: Supporting decarbonisation and improving the natural environment whilst growing the local economy.
- E30: Business support measures to drive employment growth, particularly in areas of higher unemployment.
- E33: Employment support for economically inactive people.
- E37: Tailored support to help people in employment.

3.4.2 These interventions will be refined and worked up in more detail as part of the final Investment Plan following the full assessment of the Inspiring Eden Expressions of Interest. In particular, the Eden Investment Plan will ensure local priorities are captured and driven forward via these interventions including, for example, support for farmers, the visitor economy, creative industries and young people and driving decarbonisation across the economy.

3.4.3 The investment plan and associated proposed interventions are being developed in partnership with Barrow Borough Council, South Lakeland District Council and Cumbria County Council so as to develop a common approach and enable a smooth transition as part of the local government reorganisation process. It is important to note that each district council will still produce their own investment plan. To aid this common approach all three councils have agreed to appoint the same consultants to co-ordinate their respective plans.

- 3.4.4 The investment plan will need to be signed off by the local and strategic partners which will be done via the Inspiring Eden governance arrangements as agreed at the June 27 Cabinet meeting. To this end a local partnership board across the Westmorland and Furness area has now been established with meetings planned for 7 and 19 July.
- 3.4.5 Once the investment plans and associated interventions are agreed via this local partnership board, they require approval from by the respective Cabinets (via this report for EDC) and the Westmorland and Furness Shadow Authority which is scheduled for 22 July. Following this, work will begin to put in place the mechanisms to identify and secure delivery partners to drive implementation. Government guidance suggests this will can be done via a combination of commissioning, procurement and in house provision. It is currently envisaged that for the most part a commissioning approach will be adopted; this will be confirmed within the final investment plans.

3.5 Inspiring Eden Delivery Programme Progress Update

3.5.1 The key updates on the Inspiring Eden Delivery Programme are as follows:

- **Business Support** – Business support continues with a range of offers to meet the current and emerging needs of businesses with a particular focus on free memberships for business networks and targeted support for new start businesses. A further Eden Business Breakfast event is being planned for September to follow up on the successful event held in May.
- **Sites and Premises** – Work is well underway to assess the viability of developing a strategic employment site around junction 41 of the M6. An initial report will be received by the end of July for review and for forming the basis of the next phase.
- **Rural Economy** – The roll out of the Inspiring Eden Farmers Support and Advisory Service is underway with initial focus on providing 1-1 assistance to local farmers and holding a workshop on planning farm succession and retirement and Defra’s Lump Sum exit scheme.
- **Visitor Economy** – The Eden Tourism Network continues to support local visitor economy in addressing issues around recruitment and developing and promoting the local offer.
- **Skills and Employment** – The Inspiring Eden Apprenticeship scheme continues to be utilised by local business to help develop the local workforce. The Inspiring Eden Youth Hub is going from strength to strength in supporting local vulnerable young people back into training and employment with current push around agriculture.
- **Town Centres** – Work continues with a range of local partners to develop local initiatives to support the recovery of all of our local town centres. This includes a number of new markets across the district, improvements to buildings including, for example, the Moot Hall in Appleby and scoping an Inspiring Eden Hub in New Square Penrith.
- **Creative Industries** – Work is underway to drive a range of arts and culture activities across the district to unlock the full potential of local business and communities. The Shakespeare Globe performances across

the district were well received and the next steps regarding workshops in local schools and with local businesses are being planned for the autumn.

- **Connectivity** – Work is underway across all areas to consider connectivity issues as the basis for developing and driving forward a range of projects with a particular focus on improving car parking provision, cycling, walking and access to broadband.
- **Circular Economy** – The roll out of the Green Eden Businesses continues with grants being offered to local businesses to assess their carbon footprints as the basis for developing and delivering actions plans.
- **A66 Dualling** – Work continues to ensure that this strategic investment benefits the local economy and communities.
- **Management** – Work is underway to put in place the necessary governance and management arrangements to support and drive delivery. Joint working as part of the Westmorland and Furness geography are well advanced.

4 Policy Framework

4.1 The Council has four corporate priorities which are:

- Sustainable;
- Healthy, safe and secure;
- Connected; and
- Creative

4.2 Inspiring Eden will help drive and support the delivery of all four corporate priorities. In particular it will:

- Support key sectors including a focus on the visitor economy and knowledge based industries;
- Drive investment into key infrastructure to improve physical and digital infrastructure;
- Focus on rural areas to provide targeted support and unlock potential and optimise our natural capital;
- Generate better employment and training opportunities to improve prosperity for all;
- Drive economic recovery to enable businesses and communities to thrive;
- Champion the decarbonisation agenda with a focus on the circular economy; and
- Contribute to spatial planning and place shaping to improve local towns as vibrant community hubs.

5 Consultation

5.1 The Portfolio Holder for Economies and Enterprise has been consulted on this report and Cabinet have received regular updates on the Inspiring Eden Programme. All relevant external stakeholders will be consulted on the initial draft of all Inspiring Eden documents before final approval and publication.

6 Implications

6.1 Financial and Resources

- 6.1.1 Any decision to reduce or increase resources or alternatively increase income must be made within the context of the Council's stated priorities, as set out in its Council Plan 2019-2023 as agreed at Council on 7 November 2019.
- 6.1.2 There are no new proposals in this report that would reduce or increase resources. Inspiring Eden will progress within current budgets, the ARG funds and £780k investment budget agreed by Council in November.
- 6.1.3 Following the process set out in 3.4 will unlock £1.9m UKSPF for Eden.

6.2 Legal

- 6.2.1 The provision of functions set out in this report shall be provided in accordance with relevant legal requirements including those that impact on equality and diversity and taking account of the legal duties that the Council has towards staff, residents and local businesses.

6.3 Human Resources

- 6.3.1 Inspiring Eden will provide the basis for driving service delivery with the newly restructured economic development team and contribute towards the One Eden initiative.

6.4 Environmental

- 6.4.1 Overall Inspiring Eden will have a significant positive impact on the environment as it is underpinned by an ambition to drive decarbonisation within the economy and extending sound environmental practice in the rural sector.

6.5 Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	The Council is committed to ensuring it meets the Public Sector Equality Duty in order to provide equality of opportunity through access to services for all and delivering services which meet the needs other Council's customers. Inspiring Eden will underpin the Council's approach to supporting equality and diversity in the local community by promoting and driving economic prosperity for all.
Health, Social Environmental and Economic Impact	The Corporate Plan promotes the well-being of future generations, and the post pandemic recovery of our communities. There will be positive implications from the low carbon initiatives outlined in Inspiring Eden and benefits from on-going economic opportunities that seek to promote the growth of quality jobs as part of agenda of rebalancing the economy.
Crime and Disorder	Healthy, connected, prosperous communities will reduce the scope for crime and disorder. Inspiring

Consideration:	Details of any implications and proposed measures to address:
	Eden will promote and drive economic opportunities that seek to promote the growth of quality jobs and places which in turn should have a positive impact of crime and disorder.
Children and Safeguarding	The Council will work with other agencies to promote the well-being and safety of children and vulnerable adults. Inspiring Eden will include improving economic prosperity and outcomes for future generations which will ultimately help improve the quality of life for all including children.

6.6 Risk Management

Risk	Consequence	Controls Required
Lack of support from local and strategic partners	Inspiring Eden gains little traction and has limited impact	Engage partners in development and delivery of Inspiring Eden.
Loss of focus due to local government review in Cumbria	Inspiring Eden gains little traction and has limited impact	Put in place Inspiring Eden and restructured Economic Development team to help shape and drive delivery. Ensure effective coordination of UKSPF with BBC and SLDC.

7 Other Options Considered

- 7.1 The alternatives to the proposal in this report was to either do nothing (which is consider not a viable option in the current economic climate) or produce a traditional economic strategy which can take a number or years to bring forward. It is considered that in the current economic climate that an agile and flexible approach provided by Inspiring Eden is essential to support the local economy through a period of significant change resulting from the pandemic and Brexit as well and the future changes in local government across Cumbria.

8 Reasons for the Decision/Recommendation

- 8.1 To put in place an effective economic development policy and delivery framework that will drive the implementation of the Council's Corporate Plan and One Eden initiative in supporting local businesses within the current difficult economic climate and sustaining and developing this support through the local government review process.

Tracking Information

Governance Check	Date Considered
Chief Finance Officer (or Deputy)	11 July 2022
Monitoring Officer (or Deputy)	11 July 2022
Relevant Assistant Director	07 July 2022

Background Papers:

Appendices: **None**

Contact Officer: **Greg Macdonald, Interim Economic Development
Manager**

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Report No: DCE41/22

Eden District Council

Cabinet

19 July 2022

**Management of Processes related to Planning Obligations
under Section 106 of the Town and Country
Planning Act 1990**

Portfolio:	Leader
Report from:	Assistant Director Development
Wards:	All Wards
OPEN PUBLIC ITEM	

1 Purpose

- 1.1 To advise Cabinet of the progress being made by the Overview and Scrutiny Committee's Task and Finish Group looking at Section 106 Management Processes. This includes an interim recommendation from the group which was agreed by the Overview and Scrutiny Committee at its meeting on 7 July 2022.

2. Recommendation

The Overview and Scrutiny Committee recommends to Cabinet that:

- a fixed term post is created and funded, as set out in paragraph 6.1.2 of this report, to complete the review of Section 106 Agreements and the work of the Task and Finish Group and maintain the monitoring of Section 106 Agreements up to the vesting of Westmorland and Furness Council.

3 Report Details

3.1 Task and Finish Group Progress

- 3.1.1 Significant progress has been made in taking the work forward.
- 3.1.2 Group members have been reviewing officer mapping of the processes required. These processes cut across a number of departments and need careful co-ordination and effective resourcing.
- 3.1.3 Internal resources have been found on an interim basis to carry out a twelve week exercise to update historical records, collect all the relevant information required to implement the mapped process. So far the work of ensuring that all Section 106 Agreements from the land registers database are now on the Section 106/UPO register has been completed. Work is now going on with Building Control and Gazetteer officers as well as using the Eden District Council software package GIS, to ascertain the progress of building works towards the trigger points (eg % completion of works or occupation of dwellings). This work is expected to take around two weeks. The next stage of the work will be to identify which agreements have already been invoiced by reconciling to the Total financial system.

- 3.1.4 Once the data collection and reconciliation phase has been completed, analysis and review of the current position will be reported to the group which will then consider recommendations as to how this area of work should be taken forward and resourced.
- 3.1.5 The current timetable envisages the Task and Finish Group's report being finalised in September 2022.

3.2 Resource Needs

- 3.2.1 From the work carried out so far and the review of process, it is clear that there is a need for additional resources to carry out activities that are not currently within existing responsibilities and could not reasonably be incorporated into existing posts. The attached process diagrams (Appendix A) illustrate the work steps required and the boxes highlighted in orange are those where additional resources are necessary. The work involved will need to be done before the Task and Finish Group can complete its objectives and is needed to Eden's Section 106 Agreements are fully managed by 31 March 2023 when the Westmorland and Furness will take over the management. As a result, the Overview and Scrutiny Committee has put forward the recommendation to Cabinet as set out above.
- 3.2.2 Appendix A shows the process anticipated for Section 106 monitoring. It includes two diagrams, one for District obligations and one for County obligations.

4 Policy Framework

- 4.1 The Council has four corporate priorities which are:
- Sustainable;
 - Healthy, safe and secure;
 - Connected; and
 - Creative

This report meets the Sustainable corporate priority.

- 4.2 Section 106 Agreements can be used to create planning obligations related to a range of issues potentially including all of the above priorities.

5 Consultation

- 5.1 Council officers and relevant portfolio holders will be consulted as part of the review process.

6 Implications

6.1 Financial and Resources

- 6.1.1 Any decision to reduce or increase resources or alternatively increase income must be made within the context of the Council's stated priorities, as set out in its Council Plan 2019-2023 as agreed at Council on 7 November 2019.
- 6.1.2 The cost of funding a fixed term contract to carry out this work, allowing for a Grade H appointment and the additional on costs and on boarding costs would be £32,996.

6.2 Legal

6.2.1 There are no legal implications arising from this report.

6.3 Human Resources

6.3.1 The additional post would be supported by existing staff in their current roles as set out in the diagram on Appendix A.

6.4 Environmental

6.4.1 There are no direct environmental implications from this report although any eventual finding of the work may have such implications.

6.5 Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	No implications from this report
Health, Social Environmental and Economic Impact	Strong management of the planning obligation process will allow additional resources to deliver essential initiatives with a positive effect on Social, environmental and economic issues
Crime and Disorder	No implications from this report
Children and Safeguarding	No implications from this report

6.6 Risk Management

Risk	Consequence	Controls Required
Insufficient resources to carry out this work	Funding could be lost. Necessary expenditure on requirements related to planning permission may not occur	Effective management of planning obligation processes across the relevant departments of the Council

7 Other Options Considered

7.1 The Overview and Scrutiny Committee and the supporting officers have considered whether this work can be delivered in any other way. Whilst internal resource was found to take the work so far, and the tasks that could be carried out by existing staff have been identified, there is a clear shortfall in existing resource. The option of not completing the necessary work has been considered however, this would lead to the loss of more significant resource and reputational damage.

8 Reasons for the Decision/Recommendation

8.1 To receive a recommendation from the Overview and Scrutiny Committee.

Tracking Information

Governance Check	Date Considered
Chief Finance Officer (or Deputy)	11/7/22
Monitoring Officer (or Deputy)	11/07/22
Relevant Assistant Director	08/07/22

Background Papers:

Appendices: Appendix A - Process Diagram for S106 Monitoring

Contact Officer: Fergus McMorrow, Assistant Director Development

Appendix A - Process Diagram for S106 Monitoring

