

Eden District Council

Council Minutes

Date: 26 May 2022 Venue: The Council Chamber, Town Hall, Corney Place, Penrith, CA11 7QF Time: 6.45 pm

Present:

Chair: Councillor D Banks

Vice Chair: Councillor M Eyles

Councillors:

C Atkinson	J C Lynch
P G Baker	E Martin
R Briggs	G Nicolson OBE
R Burgin	W Patterson
I Chambers	J Raine
M Clark	M Robinson
A Connell	A Ross
J Derbyshire	M Rudhall
P Dew	D Ryland
K Greenwood	H Sawrey-Cookson
M Hanley	G Simpkins
L Harker	L Sharp
D Holden	D Smith
S Lancaster	V Taylor
D Lawson	M Tonkin

Officers Present: Ian Frost, Interim Chief Executive
Lisa Tremble, Assistant Director Legal and Democratic Services
Paul Sutton, Interim Director of Resources

Democratic Services Officer: Ian Bonfig and Karen Edmondson

CI/94/05/22 Election of Chair

The outgoing chair, Councillor Connell, expressed his thanks to officers for their support during his tenure from 2019/2020.

Proposed by Cllr Connell
Seconded by Cllr Robinson

and **RESOLVED** that Cllr Banks be elected as Chair of the Council for the 2022/2023 municipal year.

Councillor Banks accepted the Office of Chair, was vested with the Chain of Office and gave a brief acceptance speech.

CI/95/05/22 Appointment of Vice-Chair

Proposed by Cllr Sharp

Seconded by Cllr Ross

and **RESOLVED** that Cllr Eyles be appointed as Vice-Chair of the Council for the 2022/2023 municipal year.

Councillor Eyles accepted the Office of Vice-Chair and was vested with the Chain of Office.

CI/96/05/22 Apologies for Absence

Apologies for absence were received from Councillors: Armstrong, McCall, Todd, and Wicks.

CI/97/05/22 Declarations of Interest

The following declarations of interest were received:

The Interim Director of Resources declared an interest in regards to agenda item number 13, noting that he would leave the room for the duration of this item.

Councillor Eyles gave a personal explanation in that he was intending to audio record the meeting for personal use.

CI/98/05/22 Minutes

RESOLVED that:

1. the public minutes:

- CI/84/05/22 to CI93/05/22 of the meeting of Council held on 28 April 2022;
- AGc/68/05/22 to AGc/73/05/22 of the meeting of the Accounts and Governance Committee held on the 10 May 2022;
- HRa/66/05/22 to HRa/70/05/22 of the meeting of the Human Resources and Appeals Committee held on the 11 May 2022;

be confirmed and signed as a correct record of those proceedings.

2. further that public minutes:

- Lic/54/05/22 to Lic/59/05/22 of the meeting of Licensing Committee held on 11 May 2022;
- OS/63/05/22 to OS/73/05/22 of the meeting of Overview and Scrutiny Committee held on 12 May 2022;
- Pla/181/05/22 to Pla/192/05/22 of the meeting of Planning Committee held on 19 May 2022;
- CAB/130/05/22 to CAB/142/05/22 of the meeting of Cabinet held on 24 May 2022;

be presented at the next available meeting of the relevant committee for confirmation.

CI/99/05/22 Chair's Acceptance Speech and Announcements

The Chair addressed the plenary:

Thank you councillors for electing me. Seven years ago, my predecessor, Michael Holliday, finally persuaded me to stand as a councillor for Langwathby ward. I never thought that after walking through those doors like a rabbit caught in headlights, one day I would be allowed to sit in the big seat as chairman. It's a pity that I will be the last chairman as EDC has been resigned to history, but I hope all past and present councillors have been subject to improve the life of the residents in Eden. Can I thank the retiring chairman Andy, for the past three years, during difficult times, involving streets and hoping the internet keeps working, although it did not deter him as he is now chairman of Cumbria County Council. Finally, congratulations to all newly elected councillors for the new authority, but after seeing the first agenda's 329 pages that should be commiserations We hope you continue to promote and campaign for Eden. Once again, thank you.

Chair's Announcements

I attended the Mayor of Maryport's dinner in Wigton. I met Prince Charles at Tebay Services to celebrate their 15th anniversary. I will be attending the Queen's Jubilee Evensong at Carlisle Cathedral tomorrow evening and there will be free parking in Eden for the Jubilee weekend.

Withdrawal of agenda item 12:

This withdrawal is with the agreement of the Chair of Council for the following reason: At its meeting on 24 May 2022 Cabinet considered a number of capital grants for affordable housing. Following that meeting new information has come to light which requires further investigation by officers. The issues raised will take time to resolve and given the significant content of the report it is felt appropriate to withdraw the consideration of the report by Council at this time.

CI/100/05/22 Statement by the Leader

The Chair invited the Leader of the Council, Cllr Taylor, to address its plenum:

My last year's statement concluded with the hope that by now Eden and EDC would be less dominated by Covid19 than both 2020 and 2021 had been, and that this report I'm delivering now would just celebrate EDC delivering great services and facilitating increased prosperity and wellbeing to everyone living and working here in Eden – along with progress improving biodiversity and reducing our carbon footprint.

But can I do that? Well, yes, to some extent. I do have to talk a little about Covid, and also about what EDC has achieved in 2021 - 22, what can be done in the last year of this administration in EDC till 2023, and in particular affirm that we can, all 38 of us, use the year ahead to ensure that Eden is an equal partner in the new Westmorland and Furness Unitary Council, even though we don't get a namecheck, and even though we are so few. We are not far away: we are here. We are definitely here.

I apologise that this will be rather lengthy. I really want to reflect, to look ahead, and particularly to take the opportunity to record our gratitude to our Council's officers. They have gone beyond the call of duty and improvised their way through the extraordinary demands for the last two years and more. The uncertainty of the way ahead must be very difficult: thank you all, for your continuing commitment to public service and for the generous use of your talents and energies for the people of Eden. It does not go unnoticed.

So first, Covid.

While the lifting of Covid restrictions should mean society is 'back to normal', people still get ill; difficulties are now hidden and help less available. Additional challenges proliferate: the 'cost-of-living crisis', especially escalating fuel and food costs, instability in the supply chain, and unfilled vacancies in many sectors, the war in Ukraine, all raise the volume of the ambient stress level for everyone. We may be, allegedly, 'living with Covid' but things are not really back to normal at EDC and beyond: we've forgotten what normal is, and the everyday support mechanisms generated by people working together, sharing tasks, solving problems, has still not returned. Humans are social animals and isolation isn't good for us.

So it is to the greatest credit of our officers at EDC, therefore, that I am able to confirm that over last year they have indeed both delivered great services and increased prosperity, environmental improvement, and wellbeing. Some examples – and if I have missed something critical, let me know and I will remedy the matter:

Our 'Revs and Bens' people effected the distribution of over £3m in hardship payments , while the Finance team, with the help of many hands on decks, disbursed the astounding total sum of £56,627,351.70 in Covid business grants. While this money did indeed originate from central government, there was considerable work and complex diplomacy in distributing it.

Our environmental health people continued to provide a nationally leading track and trace service; housing delivered the 'everyone in' policy and managed a many fold increase in people needing temporary accommodation. EDC's own hardship fund has helped many families, children, carers, and people in difficulties as a result of the changes in their lives brought about by Covid. Licensing sorted out 'opening up the high street' and facilitated businesses of all sorts trading in new ways appropriate to social distancing – and other rules.

Moving away from Covid, the sustainability team have launched the 'Greening Eden Businesses' scheme, saving businesses money as well as reducing carbon emissions, while the COP26 Fund for community-led environmental schemes is open for business.

Community health and wellbeing, town centre regeneration, and economic development come together in an arts and culture strategy and investment which will deliver benefits into the long term future.

Millions of pounds from the government's Green Homes Grant scheme has gone into insulating houses, and providing low-carbon heating systems, reducing fuel bills and carbon emissions.

The new 'My Account' digital system allows residents efficiently to sort out their own transactions with us.

We are proud of Eden's progress towards constructing an economic development strategy which with your permission chair, Councillor Robinson will say a few words about.

The Deputy Leader of the Council, Cllr Robinson:

Members, we are the first administration to commit £780,000 of investment to drive, deliver and lever in other funding from local and strategic partners with a particular focus on aligning with the Governments Levelling up and Shared Prosperity agendas in terms of focus on Place, People, Business and Skills.

Our Economic Prospectus has the overarching vision and direction of travel with 14 work streams across a range of themes which will shape and drive delivery through a number of programmes and projects.

We have received over ninety expressions of interest from across the district with a wide range of projects. These will now go through a selection process to identify which meet the alignment and timescale the government requires.

Inspiring Eden captures the Councils ambition to place a particular focus on being a centre of rural excellence that uplifts, diversifies and modernises the rural economy as an exemplar for rural living in the 21st century.

Inspiring Eden will seek to embed sustainability principles across the economy and within communities in a drive to achieve zero carbon living within a generation.

Inspiring Eden recognises the importance of arts and culture in improving the quality of experiences and lives of local communities, businesses and visitors alike, and to this end the arts and culture will form an important cross cutting theme in turning the Inspiring Eden ambitions into action on the ground.

The Leader continued:

The future, so what's the plan for the year ahead is there for all to see in the MTFP, and indeed at any time you can see details of everything EDC is up to in the new performance monitoring system – thanks and admiration to the officers for constructing and maintaining this system which offers new transparency for all our business.

At this point I would like to thank any EDC officers who have left or retired over the past year – wishing them all the very best for their future – and, of course, to welcome new starters.

It will not have escaped anyone's notice that this is Eden District Council's last Annual Meeting. Local Government Reorganisation has taken up a lot of everyone's time, imagination, resources, and vital spirits over the last year.

The Consultation on the various proposals for the unitary local government, the 7 Cumbrian authorities submitted in response to the Secretary of State's earlier 'invitation' concluded on the 19th April last year. So at the last AGM we were in limbo: but on the 21 July came the announcement: 2 unitaries on the allegedly East/West geography. Legislation to effect this was laid in Parliament on the 24th January this year, at which point our stellar elections team really stepped up, facilitating the system of wards and councillors which members were pressing for. The team also held their nerve waiting and waiting for the legislation to come into force, which it finally did a mere ten days before the absolutely final date that the

necessary elections could be announced. And of course the entire election process, new wards, new authority, new everything, was flawless. Thanks to all.

So what lies ahead? In July last year the then Secretary of State, Robert Jenrick alighted upon this 'East West' unitary proposal – which, just to remind people, immediately lost us our Chief Executive and created yet more work and stress for everyone at EDC. That's another story, but one with an eventual happy ending as Ian Frost stepped into the breach before we all succumbed under the additional work for LGR as well as EDC's business as usual.

So back at the Secretary of State, he justified this 'east west' choice in the following way:
.... having regard to the size and geography of Cumbria, including the geographic barriers of lakes and mountains, and the rurality of its population, I have decided that it would be more appropriate to implement the East West unitary proposal,

Maybe history will reveal why such blindingly obvious geographical facts as lakes and mountains led to the E/W decision rather than any other; however the choice is justified by the Secretary of State, as facilitating the desired outcome of LGR, which according to the Secretary of State –
Allow[ing] for more localised decision making, which could be important given the geography of Cumbria.

I emphasise that the only justification he submits for doing what has been done is that this unitary offers localised decision making, against a background of the needs of rurality.

So I propose we pick this up. This is what's supposed to happen – it's not going to happen by itself – it's up to us to make it happen frankly, because only we care.

The Secretary of State recognised rurality – which is our condition here in Eden - and intended that there would be localised decision making. He did not say what form it would take. Establishing that form and how it would work is extremely difficult in the abstract, in the general. But we're not abstract, we're not the general, we're this place, we're these people. We're these 38 elected members, we're all this multiplicity of parishes and meetings and communities. We have actual problems that we can solve. To some extent we've had local decision making and service delivery - it's called Eden District Council.

So the year ahead, I hope that all 38 of us, owe it to the future to find a way so that local decision making continues. You have my absolute commitment to this; that local decision making, service delivery and accountability, are more, not less effective, especially as County Services are redesigned and more of them will be delivered from here.

You may know that I am the portfolio holder for Sustainable Communities and Localities, for Westmorland and Furness, and so I am responsible for effecting such a picture across the whole unitary.

It's not going to be easy.

But here in Eden I hope we 38 can prototype something that is good, with our parishes and our communities, so we leave the place better than we found it.

There will be further opportunities over the next year to review our 48 year history and celebrate our achievements.

So to finish, I'd just like to initiate the celebratory year proposing and indeed conferring a new honour: so following the House of Commons, I propose we recognise the Father of our House, a councillor who has served EDC and his community since 1995 – so I hope, Councillor Sawrey-Cookson, that you will accept this title, as Father of our House, which I fear comes with no privileges or honorarium, only with our admiration and our thanks.

CI/101/05/22 Allocation of Seats on Committees and Working Groups

Members considered the report DoR46/22 of the Assistant Director Legal and Democratic Services, which proposed the distribution of seats in accordance with the rules of political proportionality and to make appointments to the Committees for the 2022/2023 municipal year.

Proposed by Cllr Robinson
Seconded by Cllr Patterson

and **RESOLVED** that:

1. the proposed allocation of seats as set out in this report be approved; further that
2. the appointment of Members to Committees as set out in Appendix 2 be approved; further that
3. the appointment of Members to Working Groups as set out in Appendix be approved; and that
4. the Green Group and Labour Group adopt a reciprocal arrangement where the nominated Members can act as Standing Deputies.

Appointment of Members to Committees

Accounts and Governance Committee – 9 Members

Conservative Group	R Briggs, J Lynch, D Wicks
Green Group	0
Independent Alliance	K Greenwood, W Patterson
Independent Group	S Lancaster
Labour Group	0

Liberal Democrat Group	A Connell, M Eyles, N McCall
Standing Deputies	A Meadowcroft, A Todd, C Atkinson, D Banks, D Ryland, P Baker, L Harker, D Smith

Overview and Scrutiny Committee – 12 Members

Conservative Group	G Nicolson, J Raine, D Wicks, R Briggs
Green Group	D Lawson
Independent Alliance	D Banks
Independent Group	D Ryland
Labour Group	M Hanley
Liberal Democrat Group	D Holden, G Simpkins, D Smith, R Burgin
Standing Deputies	P Dew, H Fearon, A Todd, C Atkinson A Ross, W Patterson, S Lancaster, P Baker, M Eyles, N McCall, A Connell

Finance Scrutiny Committee – 9 Members

Conservative Group	P Dew, G Nicolson, D Wicks
Green Group	0
Independent Alliance	W Patterson
Independent Group	D Ryland, S Lancaster
Labour Group	0
Liberal Democrat Group	P Baker, N McCall, R Burgin
Standing Deputies	C Atkinson, R Briggs, A Meadowcroft, D Banks,

	E Martin, M Clark D Holden, L Harker, G Simpkins
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Human Resources and Appeals Committee - 9 Members

Conservative Group	R Briggs, J Raine, A Meadowcroft
Green Group	0
Independent Alliance	D Banks, M Robinson
Independent Group	M Clark
Labour Group	0
Liberal Democrat Group	R Burgin, G Simpkins, V Taylor
Standing Deputies	I Chambers, D Wicks, C Atkinson K Greenwood, W Patterson, D Ryland A Connell, J Derbyshire, M Eyles

Licensing Committee - 10 Members

Conservative Group	C Atkinson, A Meadowcroft, J Raine
Green Group	D Lawson
Independent Alliance	M Tonkin
Independent Group	H Sawrey-Cookson
Labour Group	M Hanley
Liberal Democrat Group	P Baker, L Harker, D Holden
Standing Deputies	I Chambers, J Lynch, D Wicks A Ross, D Banks, L Sharp, S Lancaster, M Eyles, G Simpkins, N McCall

Planning Committee - 11 Members

Conservative Group	I Chambers, J Lynch, D Wicks
Green Group	A Ross
Independent Alliance	W Patterson
Independent Group	H Sawrey-Cookson, E Martin
Labour Group	M Hanley
Liberal Democrat Group	D Holden, M Eyles, G Simpkins
Standing Deputies	R Briggs, A Meadowcroft, G Nicolson, D Lawson, D Banks, M Clark, S Lancaster L Sharp, P Baker, L Harker, D Smith

Appointment of Members to Working Groups

Zero Carbon Working Group

Conservative Group	Cllrs Meadowcroft, Raine
Green Group	Cllrs Ross, Lawson
Independent Alliance	Cllr Tonkin
Independent Group	Cllr Lancaster
Labour Group	Cllr Hanley
Liberal Democrat Group	Cllr Smith, Taylor

Planning Policy Working Group

Conservative Group	Cllr Wicks
Green Group	Cllr Ross
Independent Alliance	Cllr Patterson
Independent Group	0
Labour Group	Cllr Sharp
Liberal Democrat Group	Cllrs Derbyshire, Holden, Taylor

Single Site Working Group (formerly One Eden Working Group)

Conservative Group	Cllrs Nicolson, Wicks
Green Group	Cllr Ross
Independent Alliance	Cllr Greenwood
Independent Group	Cllr Ryland
Labour Group	Cllr Sharp
Liberal Democrat Group	Cllrs Harker, McCall, Simpkins

CI/102/05/22 Election of Chairs

A Member referred to the lack of inclusive labels present in the 'Chairman' title.

The Monitoring Officer clarified that it should be 'Chair' and that it would be amended.

1. Accounts and Governance Committee

Nominated by Cllr Connell

Seconded by Cllr Holden

and **RESOLVED** that Cllr Eyles be elected Chair of the Accounts and Governance Committee for the 2022-2023 municipal year.

2. Finance Scrutiny Committee

Nominated by Cllr Burgin
Seconded by Cllr Lynch

and **RESOLVED** that Cllr Dew be elected Chair of the Finance Scrutiny Committee for the 2022-2023 municipal year.

Nominated by Cllr Clark
Seconded by Cllr Lancaster

and **RESOLVED** that Cllr Ryland be elected Vice-Chair of the Finance Scrutiny Committee for the 2022-2023 municipal year.

3. Human Resources and Appeals Committee

Nominated by Cllr Greenwood
Seconded by Cllr Rudhall

and **RESOLVED** that Cllr Robinson be elected Chair of the Human Resources and Appeals Committee for the 2022-2023 municipal year

4. Licensing Committee

Nominated by Cllr Eyles
Seconded by Cllr Sharp

and **RESOLVED** that Cllr Holden be elected Chair of the Licensing Committee for the 2022-2023 municipal year

5. Overview and Scrutiny Committee

Nominated by Cllr Chambers
Seconded by Cllr Briggs

and **RESOLVED** that Cllr Raine be elected Chair of the Overview and Scrutiny Committee for the 2022-2023 municipal year.

Nominated by Cllr Raine
Seconded by Cllr Nicolson

and **RESOLVED** that Cllr Ryland be elected Vice-Chair of the Overview and Scrutiny Committee for the 2022-2023 municipal year.

6. Planning Committee

Nominated by Cllr Robinson
Seconded by Cllr Lancaster

and **RESOLVED** that Cllr Patterson be elected Chair of the Planning Committee for the 2022-2023 municipal year

CI/103/05/22 Calendar of Ordinary Meetings 2022-2023

Members considered the report DoR39/22 of the Assistant Director Legal and Democratic Services, which sought to outline the previously approved calendar of ordinary meetings for the 2022/2023 municipal year.

Proposed by Cllr Taylor
Seconded by Cllr Robinson

and **RESOLVED** that:

1. Council notes the calendar of ordinary meetings for 2022-23 attached at Appendix 1 to the report; further that
2. all Members and Standing Deputies of the Planning, Licensing, and Accounts and Governance Committees undertake full training prior to these Committees' first meetings in each new municipal year; and that
3. it be noted that Portfolio Holder meetings will be held on an ad hoc basis when there is a requirement for a Portfolio Holder to make a decision under delegated powers.

CI/104/05/22 Appointments to Outside Bodies and Member Champions 2022-2023

Members considered the report DoR45/22 of the Assistant Director Legal and Democratic Services, which sought to confirm the list of Outside Bodies for the municipal year 2022/2023, and to consider which Members should be appointed to represent the Council on each of these bodies.

Note: the nominations below are as agreed by Council.

Proposed by Cllr Banks
Seconded by Cllr Ross

and **RESOLVED** that:

1. the list of outside bodies set out in paragraphs 3.2 and 3.6 in the report be approved;
2. the following appointment of Cabinet Members to the outside bodies identified in paragraph 3.2 be noted;

Outside Body	Portfolio Holder
North Cumbria Community Safety Partnership	Communities
Cumbria County Superannuation Fund Forum	Resources
Cumbria Housing Group	Housing and Health
Cumbria Leadership Board	Leader
Cumbria Public Health Alliance	Housing and Health
Cumbria Strategic Waste Partnership	Services
Cumbria Tourism Executive Board	Economies and

	Enterprise
District Councils Network	Leader
Eden Health Forum	Housing and Health
Eden Tourism Network	Economies and Enterprise
Cumbria Joint Districts	Leader
Local Government Association	Leader
North West Housing Forum	Housing and Health
North West Employers*	Leader
Sparsity Partnership for Authorities deliver rural services (SPARSE)	Economies and Enterprise
UK100 Countryside Climate Network	Leader

***The Portfolio Holder for Resources, Cllr Greenwood, noted that North West Employers was under the purview of the Leader.**

3. the following non-Cabinet Members be nominated to the outside bodies listed at paragraph 3.6 of the report;

Outside Body	Membership
Alston Moor Partnership (including the Townscape Heritage Initiative Steering Group and Alston Moor Partnership) Board	Cllr Lissie Sharp
Cumbria Health Scrutiny Committee	Cllr Michael Hanley Deputy Cllr Lissie Sharp
Cumbria Local Nature Partnership	Cllr Ali Ross
Cumbria Police and Crime Panel	Cllr Deb Holden
Eden Health and Wellbeing Forum	Cllr Michael Hanley Deputy Cllr Lissie Sharp
Greenwich Leisure Limited Eden Board	Cllr David Ryland
Lake District National Park Partnership	Cllr Ali Ross
Multi Agency Appleby Fair Strategic Co-ordinating Group (MASCG)	Cllr Graham Simpkins
North Pennines Area of Outstanding Natural Beauty	Cllr Mary Robinson

Outside Body	Membership
Partnership	
Parking and Traffic Regulations Outside London Adjudication Committee	Cllr Mike Eyles

4. the requirement of Members to provide a summary note of outside body meetings attended be noted;
5. the bodies upon which Eden District Council will be represented by another body for 2021/2023 as detailed at paragraph 3.7 of the report be noted;
6. the following Members be appointed as Member Champions in relation to:

Member Champions	Nomination
Armed Forces	Cllr Henry Sawrey-Cookson
Children and Young People	Cllr Lissie Sharp
Older People	Cllr Joan Raine
Homelessness	Cllr Doug Lawson

CI/105/05/22 Budget for Capital Grants for Affordable Housing Projects

The following agenda item was withdrawn:

This withdrawal is with the agreement of the Chair of Council for the following reason: At its meeting on 24 May 2022 Cabinet considered a number of capital grants for affordable housing. Following that meeting new information has come to light which requires further investigation by officers. The issues raised will take time to resolve and given the significant content of the report it is felt appropriate to withdraw the consideration of the report by Council at this time.

CI/106/05/22 Director of Resources Post

***The Interim Director of Resources left the room for the consideration of this item.**

Members considered the report CE3/22 of the Chief Executive, which sought to set out the options for the for the post of Director of Resources and statutory requirements under Section 151 of the Local Government Act 1972 from June 2022 until April 2023.

Proposed by Cllr Greenwood
Seconded by Cllr Robinson

and **RESOLVED** that:

1. council approve the extension of the current arrangements with the Interim Director of Resources until 31 March 2023; and
2. agrees to fund the £71,860 cost of the extension from Revenue Reserves.

CI/107/05/22 Date of Next Scheduled Meeting

The date of the next scheduled meeting of Council was confirmed as Thursday, 28th July 2022.

The meeting closed at 7.46 pm

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