

Date: 30 August 2019



District Council

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Dear Councillor M Robinson

Commercial Services Portfolio Holder Meeting Agenda - 9 September 2019

A meeting is to be held with Officers at 10.00 am, on Monday, 9 September 2019, in the Assistant Director Planning and Economic Development's office to consider the following matters:

1 Declarations of Interest

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

2 Appleby Moot Hall - Accountable Body Status (Pages 3 - 8)

To consider report PP18/19 from the Assistant Director Planning and Economic Development which is attached and which requests approval from the Commercial Services Portfolio Holder for the Council to act as Accountable Body, should Appleby town Council be successful in their bid to the National Lottery Heritage Fund for grant funding.

RECOMMENDED that the Commercial Services Portfolio Holder agrees to the Council acting as Accountable Body.

Yours sincerely

A handwritten signature in black ink that reads "Rose Rouse".

Rose Rouse
Chief Executive

Democratic Services Contact: Vivien Little

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For Attention

Portfolio Holder – Councillor M Robinson

For Information by Email to: - All remaining Members of the Council

Report No: PP18/19

**Eden District Council
Commercial Services Portfolio**

9 September 2019

Appleby Moot Hall – Accountable Body Status

Portfolio:	Commercial Services
Report from:	Assistant Director Planning and Economic Development
Wards:	Appleby and Appleby Bongate
OPEN PUBLIC ITEM	

1 Purpose

- 1.1 To request approval from the Commercial Services Portfolio Holder for the Council to act as Accountable Body, should Appleby Town Council be successful in their bid to the National Lottery Heritage Fund for grant funding.

2 Recommendation

- 2.1 That the Commercial Services Portfolio Holder agrees to the Council acting as Accountable Body.

3 Report Details

- 3.1 In 2017, Appleby was successful in becoming the first Historic England Heritage Action Zone ('HAZ') in the North West. A key focus of this programme is on boosting tourism in order to help grow the local economy.
- 3.2 The HAZ is a partnership between Eden District Council, Appleby Town Council and Historic England. The programme has a number of agreed projects as part of the five year programme. One of these projects is the repair of Appleby Moot Hall, which hosts the Tourist Information Centre and Council Chambers and is owned by Appleby Town Council.
- 3.3 The Moot Hall is a Grade II* listed property in Boroughgate, dating back to 1597, it is one of only two Moot Halls in the country still used for its original purpose. The poor state of the building was exposed by Storm Desmond in December 2015 and a subsequent condition survey of the building exposed almost £500,000 of urgent repair works required. The Town Council do not have this amount of finance to repair the building, which means that there is a risk that the building will fall into further disrepair, as there are no grant funders who will solely fund the repair of this building. The opportunity has been identified to build this repair work into a wider bid to the National Lottery Heritage Fund ('NLHF') around telling 'The Appleby Story'. The intended bid amount to cover the full project is approximately £1.3M and sits in NLHF's biggest grant programme for projects costing between £500,000 and £5M.
- 3.4 Appleby Town Council have been invited to submit a full application to the NLHF following an Expression of Interest and a visit from the NLHF case officer. At this meeting Appleby Town Council were advised that they could apply to the fund, but that they would need the District Council to act as

Accountable Body for the grant funding in order to have sufficient cashflow for a project of this size.

3.5 In the role of Accountable Body, Eden District Council would:

- Be involved in project management of the project and procurement for elements of the project using officer time from the Economic Development team.
- Be responsible for checking spend and approving invoices to pay contractors for work undertaken, using the Council's cashflow to pay costs upfront before reclaiming the grant funding from NLHF.
- Be responsible for adhering to NHLF's grant terms and conditions and be required to return any grant funding should the terms and conditions not be adhered to.
- Be unable to claim grant funding for any overspend or ineligible expenditure, incurring costs should this happen. Mitigation for this is set out in the implications and risk table at the end of this report.

3.6 It should be noted that Eden District Council already acts as the Accountable Body for the any funding received from Historic England through the HAZ programme. The Economic Development Team have successfully managed this process and would do the same for the NLHF grant funding.

3.7 The Moot Hall project is seen as a signature project to be delivered as part of the HAZ Programme which the Council has previously bid for and for which the Council have outcomes to meet. As a Grade II* Listed property it is a key building in Appleby in terms of its history, but also its role and it is important to consider how the building can be futureproofed. It is essential that grant funding from NLHF is facilitated, as without this grant, there would seem little prospect of securing grant funding for this type of project.

3.8 At the time of writing this report, Appleby Town Council intend to submit the application for the next potential submission date to the NLHF on 20 August 2019. There will be two phases to the funding, firstly a development phase for which the District Council will act as Accountable Body, and secondly a delivery phase. The application form (for the first stage of the process) will state that a decision is pending regarding the Council acting as Accountable Body.

3.9 There was a previous report to Executive in September 2016 to approve the HAZ application to Historic England, and a further report to Executive in December 2017 to agree the Council's financial contribution towards the HAZ programme.

4 Policy Framework

4.1 The Council has four corporate priorities which are:

- Decent Homes for All;
- Strong Economy, Rich Environment;
- Thriving Communities; and
- Quality Council

- 4.2 This report meets Thriving Communities and Strong Economy, Rich Environment corporate priorities.
- 4.3 This report addresses the strategic actions in the Council Plan to engage with Eden's four market towns to increase their vitality and work with partners to promote and develop an economically and environmentally sustainable tourism product in order to attract visitors with a range of interests.

5 Consultation

- 5.1 Both of the Ward Councillors for Appleby have been consulted and are supportive of the Moot Hall project and of the District Council agreeing to act as Accountable Body to facilitate the grant application to NLHF.

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 2015-19 as agreed at Council on 17 September 2015.
- 6.1.2 There are no financial implications to this report as the Executive has already agreed match funding to the Appleby HAZ Programme which covers the Moot Hall project. No further match funding will be required from the Council. There will however be increased administration required from within the Economic Development Team to check spend and approve invoices due to the role as accountable body. The Council will recover costs for administration where allowable under the grant.
- 6.1.3 There is a financial risk that should there be an overspend or any ineligible expenditure that the Council will have incurred costs but not be able to claim this money back from NLHF. Contingency costs and inflation costs are included in the bid to NLHF to mitigate the risk of an overspend. Eden District Council are a key partner in the project and on the steering group for all of the decision making processes. Terms and conditions of the Delivery Grant will only allow expenditure on the Approved Purposes, which will be set out by NLHF summarising the delivery phase of the project. Tenders for each of the elements of expenditure will be signed off by the steering group before they are accepted to ensure that expenditure is solely on items within the Approved Purposes.

6.2 Legal

- 6.2.1 The Council will have to adhere to NLHF Standard Terms and Conditions which are available on www.heritagefund.org.uk/publications/standard-terms-delivery-grants-250k-5m. There may also be additional grant conditions added at the offer stage in the Grant Notification Letter.
- 6.2.2 The Council will sit on the steering group and, as part of any agreement to act as Accountable Body, will reserve the right to veto any decisions which put the Council at risk financially or legally. If the Council act as Accountable Body it will be required to account to NLHF for funding received and must be able to certify that expenditure approved is eligible in accordance with the terms of the grant.

6.3 Human Resources

- 6.3.1 Should Appleby Town Council be successful in their application, the additional work required to oversee the project as accountable body and approval of invoices is work which can be done by the Appleby HAZ Programme Officer and Economic Development Manager as part of their existing role in overseeing the HAZ programme. The Appleby HAZ Programme Officer role is already funded externally by Historic England as part of the HAZ programme.

6.4 Statutory Considerations

Consideration:	Details of any implications and proposed measures to address:
Equality and Diversity	There are positive equality and diversity implications in the submission of the application to the National Lottery Heritage Fund: Firstly, the project will make the Moot Hall accessible through the introduction of a lift and levelling of the floors. Secondly, it is proposed that the Appleby Story will cover the Horse Fair and its history.
Health, Social Environmental and Economic Impact	The repair of the Moot Hall will have a positive social environmental impact.
Crime and Disorder	There are no crime and disorder implications.
Children and Safeguarding	There are no children and safeguarding implications.

6.5 Risk Management

Risk	Consequence	Controls Required
NLHF application cannot be submitted.	Moot Hall falls into disrepair, missed opportunity to develop Appleby Story interpretation project.	Council to agree to act as Accountable Body.
NLHF grant terms and conditions are not adhered to.	Grant funding would need to be returned to grant body.	The Council are an active partner in the project and will sit on the steering group and reserve the right to veto any decisions which do not adhere to the NLHF grant conditions.

7 Other Options Considered

- 7.1 An alternative option is for the Council not to agree to act as accountable body for the funding. In this instance Appleby Town Council would not be able to apply for funding from NLHF and will risk the Moot Hall falling into disrepair, as well as being a missed opportunity to develop a wider interpretation project across Appleby to boost tourism.
- 7.2 Another option would be to ask another organisation to act as accountable body, but there are very few other of organisations of a sufficient size that would have the ability and interest to undertake this work and any other organisation would likely want a fee for doing so. Eden District Council are the obvious choice due to the existing Accountable Body status for the Appleby HAZ programme and interest in the project from a Tourism, Economic Development, Planning and Conservation perspective.

8 Reasons for the Decision/Recommendation

- 8.1 To facilitate an application to NLHF which will have numerous positive implications for Appleby; repairing a key Grade II* building, promoting tourism and as a result enhancing Appleby's economy.

Tracking Information

Governance Check	Date Considered
Chief Finance Officer (or Deputy)	1 August 2019
Monitoring Officer (or Deputy)	30 July 2019
Relevant Director	30 July 2019

Background Papers: Appleby Heritage Action Zone papers to Executive in September 2016 and December 2017 can be read as background reading to the HAZ

Appendices: None

Contact Officer: Adrian Banford, Appleby HAZ Programme Officer

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