

# Eden District Council

## Cabinet Minutes

**Date: 14 February 2023 Venue: The Council Chamber, Town Hall, Corney Place, Penrith, CA11 7QF Time: 6.00 pm**

### Present:

Chair: Councillor V Taylor

Vice Chair: Councillor M Robinson

Councillors: J Derbyshire L Sharp  
K Greenwood M Tonkin

Officers Present: Ian Frost, Interim Chief Executive  
Marianne Bastille, Assistant Director Finance  
Paul Sutton, Interim Director of Resources  
Les Clark, Deputy Chief Executive  
Amanda Yellowley, Assistant Director Customers,  
Performance & Housing  
Lisa Tremble, Assistant Director Legal and Democratic  
Services

Democratic Services Officer: Lewis Powell

### CAB/68/02/23 Apologies for Absence

Apologies for absence were received from Councillor Rudhall.

### CAB/69/02/23 Minutes

Proposed by Councillor Taylor

Seconded by Councillor Greenwood

and **RESOLVED** that the public minutes CAB/54/11/22 to CAB/67/11/22 of the meeting of Cabinet held on 15 November be confirmed and signed by the Chair as a correct record of those proceedings.

### CAB/70/02/23 Declarations of Interest

No declarations of interest were received.

*At 18:01 Councillor Sharp entered the Chamber.*

### CAB/71/02/23 Questions and Representations from the Public

**Councillor Jonathan Davies submitted the following question on notice under Rules 3 and 4 of the Executive Procedure Rules of the Constitution.**

A report by Penrith Town News on the 1st of February uncovered that in December 2022 Eden District Council handed back almost £2.5 million in grant funding to government departments. Grant money that had been allocated to Eden District council to administer to support business and communities including covid19 recovery grant funding.

Can the leader/portfolio holder please explain how and why Eden Council failed to ensure this money was used to benefit business and communities across Eden. Instead of handed back to government as another lost opportunity for Eden.

**The Resources Portfolio Holder gave the following response:**

As the information provided to Penrith Town News clearly stated, this money was non-discretionary COVID business grant funding intended for specific organisations, who met certain Government stipulated criteria. The funding was allocated to local authorities by central Government, based on its estimation of the need. None of these funds were transferrable to the discretionary COVID grant schemes that were also made available at that time.

Over 14,500 successful grant applications were processed by Eden District Council with COVID support grants totalling an extraordinary £56,395,996.70 being paid to businesses and organisations in Eden. This was an unprecedented collaborative effort to deliver much needed support to business and organisations in Eden during the global COVID pandemic.

The Government and Eden District Council went to great lengths to promote the availability of these grants and worked incredibly hard to ensure applications were processed and payments made as quickly as practically possible. I have publically thanked everybody involved on numerous occasions and do so again. Our officers did an outstanding job, and are second to none.

Eden District Council is satisfied that all eligible businesses that submitted applications for funding, received the money they were entitled to. As it was not possible for the balance of funding to be used for any other purpose, it is now being returned to the Government, in accordance with the conditions of its allocation to the Council.

**Councillor Jonathan Davies asked the following supplementary question:**

Eden Council appears to have had a number of issues with monies and grants and missed opportunities as tonight's agenda appears to outline with projects that are no longer getting funding. Would the Portfolio Holder or Leader agree that there appears to have been issues with how Eden Council has administered funding over the two years?

**The Resources Portfolio Holder gave the following response:**

I would be grateful, Councillor Davies, if you could send me written evidence of your concerns and I will get back to you with a written answer.

**CAB/72/02/23 Questions from Members**

No questions from Members were received.

### **CAB/73/02/23 Corporate Performance Report Q3**

Members considered Report No: DoR03/23 of the Interim Director of Resources which sought to provide a summary of progress against the Council's current performance targets for the period 1 October 2022 – 31 December 2022. It also sought to inform the Cabinet and Overview and Scrutiny Committee of any areas of concern or issues requiring attention and the remedial activity in place to deal with these. Additionally, to highlight areas that are working well or any achievements gained during the quarter.

The Assistant Director Customers, Performance and Housing noted that following the results of an internal audit the performance team received a substantial assurance for their performance framework.

Proposed by Councillor Taylor  
Seconded by Councillor Greenwood

and **RESOLVED** that Cabinet Note the progress for Q3 2022/2023.

**Reasons for the Decision/ Recommendation:** To advise Members of progress against outcomes.

### **CAB/74/02/23 Regulation of Investigatory Powers Act - Annual Update**

Members considered Report No: DoR05/23 of the Assistant Director Legal and Democratic Services (Monitoring Officer) which sought to enable consideration to be given to an update on the use of the Regulation of Investigatory Powers Act 2000 ('RIPA') by Council officers.

Proposed by Councillor Greenwood  
Seconded by Councillor Tonkin

and **RESOLVED** that:

1. it be noted that there have been:

a) no authorisations sought or granted by the Council in the Regulation of Investigatory Powers Act 2001 between 1 January 2022 and 31 December 2022; and

b) no non-statutory authorisations for covert surveillance sought or granted by the Council between 1 January 2022 and 31 December 2022.

2. the revised Policy and Guidelines, which are attached to this report as Appendix 1 be adopted; and

3. it be noted that the Assistant Director Legal and Democratic Services will arrange appropriate training for authorising officers and officers who may potentially consider seeking authorisations for covert surveillance.

**Reasons for the Decision/ Recommendation:** To enable consideration to be given to an annual update and revised policy.

## **CAB/75/02/23 Social Housing Decarbonisation Fund & Home Upgrade Grant 2**

Members considered Report No: DoR02/23 of the Interim Director of Resources which sought delegated authority to approve the acceptance of an award of a grant from the Social Housing Decarbonisation Fund (SHDF), in the event that it is successful.

It also sought delegated authority to approve the acceptance of an award of a grant from the Home Upgrade Grant 2 (HUG2) in the event that it is successful.

Proposed by Councillor Derbyshire  
Seconded by Councillor Taylor

and **RESOLVED** that Cabinet:

1. Delegate approval to the Interim Director of Resources in consultation with the Housing and Health Portfolio Holder to accept a successful grant award from the SHDF.
2. Note the support from Westmorland and Furness and Cumberland Shadow Council's for a Cumbria wide bid for HUG2.
3. Delegate approval to the Interim Director of Resources in consultation with the Housing and Health Portfolio Holder to accept a successful grant award from HUG2.
4. Delegate approval of the drafting of any funding agreements and associated contracts with partners to the Assistant Director of Legal and Democratic Services.

**Reasons for the Decision/ Recommendation:** Participating with both grant schemes means we can improve the EPCs of properties across the county, and make an impact on the reduction of our carbon footprint.

## **CAB/76/02/23 Q3 Financial Monitoring 2022-23**

Members considered Report No: DoR04/23 of the Interim Director of Resources which sought to provide information on the spend and income compared to budget up to 31 December 2022, including highlighting any pressures, risk and savings.

The Resources Portfolio Holder highlighted some amendments in the report:

At 3.24 of the report the Resources Portfolio Holder highlighted that the affordable housing scheme that should have been mentioned here was in fact the approved grant for Homegroup, Hunter Lane Penrith, not the Genesis Homes, Pennine View development mentioned in the report. She apologised for any concern caused.

At 3.21 of the report the Resources Portfolio Holder clarified that the Green Homes Exemplar has only slipped for this financial year and remains in the capital programme plan for future years. This is the position passed onto Westmorland and Furness Council.

Proposed by Councillor Greenwood  
Seconded by Councillor Robinson

and **RESOLVED** that Cabinet:

- 1. Note the Quarter 3 forecast revenue outturn position as set out at Appendix 1.
- 2. Note the Quarter 3 Capital Monitoring position, set out at Appendix 3.
- 3. Commit that any outturn underspend, available at year end, be allocated to an earmarked reserve to fund continuation of interim arrangements into 2023- 24 (as set out in 3.6).

**Reasons for the Decision/ Recommendation:** To update the budget for agreed changes and know pressures to ensure that the Council has an up to date budget for planning and reporting purposes.

**CAB/77/02/23 Any Other Items which the Chairman decides are urgent**

No items of urgent business were raised.

**CAB/78/02/23 Date of Next Scheduled Meeting**

The date of the next scheduled meeting of Cabinet was confirmed as the 14 March 2023.

The meeting closed at 6.25 pm

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