



CUMBRIA
LOCAL
ENTERPRISE
PARTNERSHIP

CUMBRIA LOCAL ENTERPRISE PARTNERSHIP

LOCAL ASSURANCE FRAMEWORK

VERSION CONTROL

VERSION	DATE	DETAIL
1.0	31 July 2018	Draft New Local Assurance Framework
1.1	25 August 2018	Revised Draft New Local Assurance Framework
1.2	19 Sept 2018	Final Draft New Local Assurance Framework
1.3	28 Sept 2018	Board Approved Version
1.4	23 Nov 2018	Revision to Board Constitution; revised SME representative and Diversity Champion
2.0	22 February 2019	Draft New Local Assurance Framework responding to National Local Growth Assurance Framework (January 2019)
2.1	26 March 2019	Revised Draft New Local Assurance Framework incorporating Board and Accountable Body comments
2.2	29 March 2019	Finalised Local Assurance Framework in line with National Local Growth Assurance Framework (January 2019)
2.3	17 May 2019	Revised to incorporate new scrutiny arrangements
3.0	19 July 2019	Amendments agreed by CLEP Board including updated Monitoring and Evaluation Plan, Risk Register, Diversity Policy and Investment Panel Terms of Reference.
3.1	22 May 2020	Revised Risk Register – COVID-19 heightened risks
4.0	18 September 2020	Full refresh of document including revised governance arrangements
4.1	21 May 2021	Revised Risk Register, Governance Structure and Scheme of Delegations
5.0	24 September 2021	Updating in line with National Local Assurance Framework 2021
5.1	21 January 2022	Revised Articles of Association, Risk Register and Terms of Reference for Kingmoor Park

CONTENTS

PART 1 – PURPOSE, STRUCTURE AND OPERATING PRINCIPLES	1
PART 2: PROJECT PRIORITISATION AND INVESTMENT DECISIONS	24
PART 3: PROGRAMME MANAGEMENT, RISK AND AUDIT	35
APPENDIX A – CUMBRIA LEP BOARD AND SUB BOARDS TERMS OF REFERENCE.....	42
APPENDIX B – ARTICLES OF ASSOCIATION.....	128
APPENDIX C - LEP COMMITTEE MEMBERSHIP.....	146
APPENDIX D – CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY	157
APPENDIX E – GIFTS AND HOSPITALITY	176
APPENDIX F - BOARD MEMBERS EXPENSES POLICY	180
APPENDIX G - ENGAGEMENT STRATEGY	185
APPENDIX H – COMPLAINTS POLICY	189
APPENDIX I – WHISTLEBLOWING POLICY	194
APPENDIX J - DATA PROTECTION AND PRIVACY POLICY	202
APPENDIX K – EQUALITY, DIVERSITY AND INCLUSION POLICY	215
APPENDIX L – FREEDOM OF INFORMATION POLICY.....	219
APPENDIX M – MEMORANDUM OF AGREEMENT	222
APPENDIX N – RISK REGISTER	238
APPENDIX O – SCHEME OF DELEGATION.....	249
APPENDIX P – CLEP MONITORING AND EVALUATION PLAN	253
APPENDIX Q – STRATEGIC OUTLINE BUSINESS CASE TEMPLATE.....	261
APPENDIX R – OUTLINE BUSINESS CASE TEMPLATE.....	269
APPENDIX S – FULL BUSINESS CASE TEMPLATE	293
APPENDIX T – TRANSPORT SCHEMES WEBTAG	295
APPENDIX U - PROJECT CHANGE CONTROL AND APPROVAL	297
APPENDIX V – AUDIT PLAN 2020/2021.....	299

CUMBRIA LOCAL ENTERPRISE PARTNERSHIP

LOCAL ASSURANCE FRAMEWORK

PART 1 – PURPOSE, STRUCTURE AND OPERATING PRINCIPLES

1. Introduction and Overview

1.1 Local Enterprise Partnerships (LEPs) are business-led partnerships between the public and private sector with the responsibility for steering growth strategically in local communities. There are 38 LEPs nationally, established by the Department of Business, Energy and Industrial Strategy to drive inclusive growth, increase prosperity and improve productivity.

1.2 The Cumbria Local Enterprise Partnership (hereafter known as “CLEP”) is government's recognised body with responsibility for delivering on the roles and responsibilities outlined within the “Strengthened Local Enterprise Partnerships¹” report in Cumbria, namely taking lead responsibility for:

- **Strategy** – developing an evidence-based Local Industrial Strategy that identifies local strengths and challenges, future opportunities and the action needed to boost productivity, earning power and competitiveness across their area;
- **Allocation of funds** – identifying and developing investment opportunities; prioritising the award of local growth funding; and monitoring and evaluating the impacts of its activities to improve productivity across the local economy;
- **Co-ordination** -using their convening power, for example to co-ordinate responses to economic shocks; and bringing together partners from the private, public and third sectors; and
- **Advocacy** – collaborating with a wide-range of local partners to act as an informed and independent voice for the area.

1.3 The work of CLEP is supported by an Executive team, which deals with the executive and secretariat functions. CLEP's geography is co-terminous with the boundary of Cumbria:

¹ “Strengthened Local Enterprise Partnerships” contains the conclusions of government's policy review of LEPs. It was publicised by Ministry of Housing, Communities and Local Government in July 2018.



Figure 1: Cumbria LEP Area Geography

1.4 CLEP is the strategic body through which Cumbria-wide economic activities, priorities and objectives will be supported and coordinated. CLEP, working together with the private and voluntary and community sectors, will be supported with delivery activity and in strong partnership with the Local Authorities within CLEP area. One of the key functions of local authority partners will be to ensure democratic oversight and assurance for the activities and funding decisions of CLEP. This Local Assurance Framework has been developed as a mechanism for the Accountable Body², CLEP and key stakeholders to be clear about responsibilities and to ensure the highest standards of governance and propriety.

1.5 This document establishes a Local Assurance Framework, which is compliant with MHCLG's National Local Growth Assurance Framework (September 2021) and that CLEP will follow in relation to the identification, appraisal, monitoring and evaluation of schemes to ensure value for money within all of its activities. This includes all decision making within its Growth Programme (comprising but not limited to the Getting Building Fund, Local Growth Fund Programme, Growing Places Fund and European Structural Investment Fund), and in the way that it operates its business in a clear, transparent and accountable way.

² "The Accountable Body is responsible for ensuring that the Local Enterprise Partnership makes decisions in accordance with the Local Enterprise Partnership's Local Assurance Framework" – Local Enterprise Partnership National Local Assurance Framework (September 2021).

1.6 The Local Assurance Framework is in three parts. Part One sets out the purpose, structure and operating principles of the Framework. Part Two sets out the project prioritisation process (including development of a project pipeline). Part Three sets out the programme management and investment decision process. The Framework also comprises a series of Appendices, which set out the key supporting documentation.

1.7 CLEP aims to adhere to the highest standards of probity in the way that it discusses and makes decisions on how the funding devolved to it by Government is spent. This Local Assurance Framework is a core element of the process and has been written to set out how CLEP and its partners will identify and prioritise activity and projects to support delivery of their strategic growth priorities.

1.8 Our strategic priorities, planned programmes and prioritised projects and the evidence base which underpin these priorities and objectives are set out in the Local Industrial Strategy (LIS) for Cumbria and the Cumbria European Structural Investment Funds (ESIF) Strategy. These documents can be downloaded from the CLEP website www.thecumbrialep.co.uk. The LEP has produced its draft Local Industrial Strategy, which superseded the Strategic Economic Plan, outlines the strategic priorities, planned programmes, prioritized projects and the evidence base, which underpin this will be used as the basis for investment decision making. Subsequently, CLEP has produced Restart, Reboot, Rethink – A Plan for Economic Recovery, which outlines the response to the COVID-19 pandemic.

1.9 One of the initial filters for projects submitted for funding through this Local Assurance Framework is strategic alignment with the Local Industrial Strategy. All promoting organisations will be expected to demonstrate how their proposals support CLEP's Local Industrial Strategy.

1.10 CLEP developed the Cumbria Local Industrial Strategy (LIS) in March 2019. Although, this was finalised in March 2019, it was never agreed with Government. However, CLEP adopted this strategy and used it to assess strategic fit. In response to the COVID-19 pandemic CLEP produced its Restart, Reboot, Rethink, which assessed the impact of the pandemic on the LIS priorities. Whilst, Restart, Reboot, Rethink informs CLEP's activities, it was not used to assess strategic fit for CLEP's investments, which continued to be framed by the Local Industrial Strategy (LIS).

2. Purpose

2.1 The purpose of the Local Assurance Framework is to support the development and delivery of a rigorously appraised and prioritised investment programme for Cumbria, which aligns to CLEP's strategic priorities and which positions Cumbria to take maximum advantage of any funding and other opportunities which may arise. The Local Assurance Framework provides Department of Levelling Up, Housing and Communities, government, stakeholders and the public that CLEP has the policies and processes in place to ensure the robust stewardship of public funds.

2.2 The Framework ensures that CLEP has in place the necessary systems and processes to manage delegated funding from central Government budgets effectively and fully in line with government's expectations as outlined in the National Local Growth Assurance Framework (September 2021).

2.3 In carrying out its responsibilities CLEP's Board members and Executive will demonstrate the highest standards of conduct. CLEP will ensure that Board members and the Executive and any third parties, who provide services to the LEP will have due regard to the following principles:

- a. Acting solely in the public interest in line with the Nolan principles; making decisions purely on merit, in accordance with agreed CLEP processes and acting with regularity and propriety when managing public money;
- b. Keeping records which demonstrate that CLEP meets all our legal obligations and all other compliance requirements placed upon it ensuring these are accessible, if requested;
- c. Actively cooperating with stakeholders and other regeneration organisations. This involves engaging deliberately and constructively with the private sector and public sector including national and local partners such as: Government Departments, subnational bodies, Local Authorities, third sector representatives, community interest groups, universities and research institutions, MCAs and other LEPs in order to collect information which can be factored into decisions;
- d. Ensuring partnership working and engagement on projects or decisions which are likely to have an effect across LEP borders or significantly affect the plans of another MCA or LEP; and
- e. Championing successes within their communities, including bringing to the attention of Government local growth projects which should be recognised as innovative or examples of best practice and ensuring that stakeholders are able to make informed decisions on local growth matters.

2.4 This document will be reviewed, refreshed and signed off by CLEP Board annually or more frequently to respond to government guidance or audit reports. The Local Assurance Framework will be updated within one calendar month of a change being required or following the next Board meeting if that change requires Board sign off. DLUHC will be notified if CLEP is considering any significant changes to this Framework.

2.5 One of the conditions of the Growth Deal grant offer letter is that the LEP must submit a letter from their S151 Officer³ to DLUHC's Accounting Officer by 28 February each year certifying that its Local Assurance Framework has been agreed, is being implemented and meets the revised standards set out in the LEP Assurance Framework.

2.6 This Local Assurance Framework is published on CLEP's website, which is designed to be:

- Prominent, accessible and easy to navigate;
- Updated regularly to ensure that information remains current;
- Repository of information on LEP Board meetings (including agendas, papers and minutes), LEP policies, processes, projects, funding calls and decisions; and
- An interface that caters to the public, interested parties in LEP projects and funds and Government.

2.7 The website has a dedicated section on governance, which provides all information related to compliance with the National Local Growth Assurance Framework (September 2021) including this Local Assurance Framework.

3. Geography

3.1 The geographical area of the Cumbria Local Enterprise Partnership (CLEP) covers the administrative area of Cumbria County Council which covers Allerdale, Barrow in Furness, Carlisle, Copeland, Eden, South Lakeland District Councils and the Lake District National Park and part of the Yorkshire Dales National Park.

3.2 Cumbria is the second largest county in the UK by area, with its 497,900 population in an area of 6,768 km. It is also one of the most sparsely populated counties. Predominantly rural and mountainous, Cumbria boasts abundant natural assets including two World Heritage Sites, two national parks (Lake District National Park and part of the Yorkshire Dales National Park), and three Areas of Outstanding Natural Beauty (AONB) Arnside and Silverdale, North Pennines and Solway Coast.

³ "CIPFA and the Cities and Local Growth Unit have developed five principles, which they expect the Section 151 officer for LEPs to meet when instilling good and proportionate financial governance – Enshrining a corporate position for the section 151 officer in LEP assurance; creating a formal/structured mandate for the section 151 officer; embedding good governance into decision making; ensuring effective review of governance; and appropriate skills and resourcing" – The Chartered Institute of Public Finance & Accountancy "Principles for section 151 officers in accountable bodies working with local enterprise partnerships".

3.3 Cumbria's economy is poly-centric in nature, with manufacturing, real estate, retail, and health accounting for more than half of GVA production. This is balanced by very important tourism and agricultural sectors. Cumbria benefits from significant natural capital, which is essential to the attractiveness of the county as a place to live, work and invest. An overview of Cumbria's economy is provided within the Economic Review, which is the sister document to the Local Industrial Strategy.

3.4 CLEP secured Enterprise Zone status for Kingmoor Park in Carlisle and this became operational on 1 April 2016 for 25 years, offering a combination of business rates relief and capital allowances. The site is 122 hectares of which 49 hectares are already developed.

3.5 Kingmoor Park is located just off Junction 44 of the M6, and has the potential to create an additional 3,000 jobs in advanced manufacturing, nuclear supply chain and logistics. It is highly accessible and offers considerable opportunity to attract new investors to the County and offer grow-on space for existing businesses.

4. Membership

4.1 The membership of the CLEP Board is set out at Appendix C.

5. Legal Status

5.1 The LEP is a company limited by guarantee incorporated on 17 December 2018, in line with the requirements of the LEP Review – “Strengthened Local Enterprise Partnerships.” The company was fully operational as from the 2019/20 operational year and compliant with all requirements of Companies House. The Articles of Association for the company are provided at Appendix B.

5.2 CLEP has appointed a Company Secretary to ensure ongoing compliance with all laws and regulations that apply to its company status. The Company Secretary will attend every Board meeting to ensure compliance and to produce a record of the meeting in line with the requirement of this Local Assurance Framework.

5.3 The audited accounts of the company will be presented at the Annual General Meeting and included within the Annual Report as from 2020, when the 1919/20 audited accounts were made available.

6. Roles and Responsibilities

6.1 The LEP revised its governance structure during 2020, with the final changes agreed in September 2020. The revised structure is provided at Figure 2. This includes the inclusion of the Business and Economic Advisory Group, which will become operational once the Business and Economic Response and Recovery Group (BERRG) of the Local Resilience Forum is stood down, once the emergency response to COVID-19 concludes. The structure was developed to ensure compliance with the National Local Growth Assurance Framework (September 2021) and is regularly reviewed to ensure that it remains fit for purpose.

6.2 The structure is designed to deliver effective governance, propriety and transparency for the LEP and its business, to ensure that partners are engaged in an inclusive way and that the key economic and prosperity opportunities are maximised and challenges effectively addressed. It has also been designed to reflect the structure of the Industrial Strategy, with the Strategy Boards configured around the five drivers of productivity. The governance structure was formally reviewed in both September 2019 and September 2020, with Figure 2 outlining the outcomes of these reviews. The efficiency and effectiveness of the structure is reviewed on an ongoing basis, with the structure refined further in May 2021 to reflect the end of the Enterprise Zone Programme.

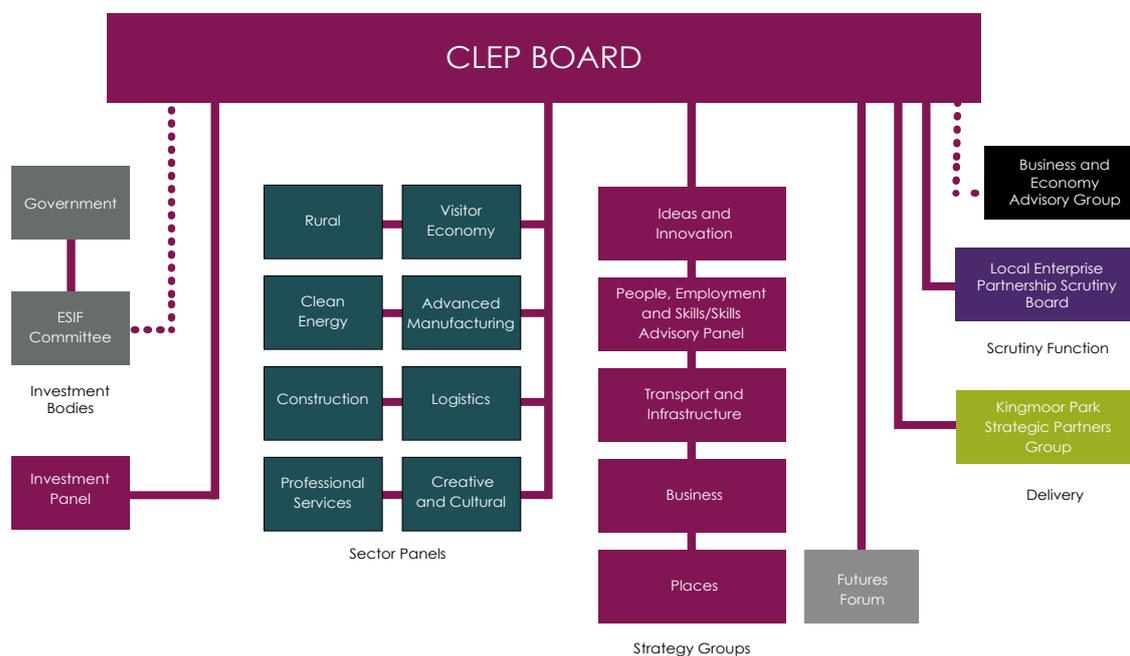


Figure 2

6.3 The respective roles of the Chair, Deputy Chair, Vice Chair, Board, LEP Chief Executive, Executive and Accountable Body are outlined within this Local Assurance Framework, in particular within the Terms of Reference of CLEP Board.

6.4 The CLEP Board has ultimate responsibility for setting the corporate and strategic direction of CLEP, ensuring that all activity is legal and compliant with the Articles of Association and Local Assurance Framework and holding the Chief Executive and Executive accountable for effectively delivering on its priorities, as defined in its Terms of Reference. Some elements of operational and strategic responsibility are discharged through a series of formal Board Sub- Committees each reporting to the CLEP Board and each with its own defined Terms of Reference (see Appendix A). Delegated decision making and authority is set out in CLEP's Scheme of Delegation, which is shown at Appendix O.

CLEP Board

6.5 The function of the CLEP Board is to set the corporate and strategic direction of the organisation, satisfying itself that the work programmes of the Executive and the sub-Boards are in accordance with the strategic direction and that outcomes and impacts are both sufficiently ambitious and achievable. The CLEP Board aims to ensure that the LEP Executive and its Sub-Boards deliver on government's expectations in terms of increasing productivity and delivering inclusive growth through its responsibilities for strategy, investment planning, co-ordination and advocacy.

6.6 The CLEP Board is responsible for:

- Setting the strategic direction for the inclusive growth, productivity and prosperity of Cumbria through the development and implementation of a Local Industrial Strategy that meets Cumbria's needs and government's expectations of this.
- Providing a voice for Cumbria on strategically important economic issues and acting as an advocate on behalf of Cumbria, its economy, its business and its people
- Monitoring economic performance on all key indicators including productivity to ensure positive improvements and developing strategies to address any areas of underperformance
- Approving, monitoring and ensuring implementation of Restart, Reboot, Rethink, Local Industrial Strategy and EU Investment Strategy and other appropriate strategies on behalf of CLEP and its partners.
- Allocating and investing funds over £1 million including government funding, in line with strategic growth priorities and the Local Assurance Framework
- Working in partnership to identify and stimulate investment opportunities in the local area
- Agreeing the LEP's annual budget, the management of which, shall be delegated to the LEP Chief Executive;
- Agreeing a governance structure that is focused on the key priorities for Cumbria's economy, and agreeing the Chair, Terms of Reference and appointments process for the bodies within this
- Appointing Task and Finish Groups to deal with specific business issues, and agree their Chair and Terms of Reference
- Appointing representatives to selected outside bodies

- Approving a Communications Strategy in relation to publicity and disclosure of information including the management and timing of such communications.
- Ensuring that the company operates in line with all legal and regulatory requirements and is compliant with the Local Assurance Framework and Articles of Association
- Managing organisational risk and ensuring that a risk register is in place and that this is actively monitored and that all Sub-Boards have processes in place to identify and escalate risk.

CLEP Board Diversity

6.7 The CLEP Board is selected through an open, transparent and non-discriminatory competition, which assesses each candidate on merit. In order to attract from a wide talent pool CLEP will use a range of mechanisms to advertise vacancies. CLEP strives to ensure that the Board is reflective of Cumbria as a whole, including in terms of business composition and scale, geographic spread, gender, ethnicity and representation on the Board of those with protected characteristics, in line with its equality and diversity policy. It is fully committed to meeting the 2023 equal representation gender target for LEPs, and has already met the 2021 milestone target. The CLEP Board has appointed a Diversity Champion, who is named in the Terms of Reference of the Board. A report by the Diversity Champion will be provided following the end of each financial year, ordinarily to the July (or nearest) Board meeting to this.

6.8 It has been set up in accordance with the Government requirement that it must have at least two thirds of the Board coming from the private sector, both large and SMEs; and that the Chair must also be drawn from the private sector. Other Board membership is drawn from local authority leaders and other relevant public sector organisations and the Voluntary and Community Sector. The SME business community representative is named in the Terms of Reference of the Board, who will represent the interest of, and engage with that sector.

Sub-Boards

6.9 There are a number of Sub-Board bodies that report to the CLEP Board and that have various roles and responsibilities as detailed below. These Sub-Boards are focused around the key elements of the LEP's business model – Investment; Strategy, Sectoral Engagement; Delivery; and Scrutiny.

ESIF CLEP Area Sub Committee

6.10 The purpose of the ESIF LEP Area Sub Committee is to maintain the LEP's relationship with the Managing Authority (Government Department's DLUHC; DWP and DEFRA) and ensure that ESIF Funds are deployed to effectively deliver the Cumbria European Structural and Investment Fund 2014-2020 programme priorities.

6.11 The ESIF LEP Area Sub Committee is responsible for:

- Maintaining the LEP's European Structural Investment Funds (ESIF) Strategy and the evidence base required to underpin the strategy

- Preparing an Annual Implementation Plan for agreement with the Managing Authority
- Reviewing all ESIF-related activity and expenditure and ensuring that this is deployed in line with Programme eligibility requirements
- Ensuring that overall performance and financial targets are being met and that any underperformance is quickly identified and addressed
- Ensuring that the Programme complies with all European and national Government rules, regulations and procedures

CLEP Investment Panel

6.12 The purpose of CLEP Investment Panel is to hold the LEP Executive to account for programme delivery and performance and to ensure that projects put forward for funding support the LEP's strategic priorities and offer value for money.

6.13 The Investment Panel is responsible for:

- Making investment decisions on projects of up to £1,000,000 on behalf of the Cumbria LEP Board on all funding programmes delegated to the Investment Panel by the LEP Board, and working within the agreed tolerances authorised by the Board
- Changing investment decisions within the agreed tolerances as identified below:

Change to investment decision	Authorisation
Up to 10% and/or a maximum value of £250k and no material change	CLEP Chief Executive or Head of Programmes Team
Up to 20% and/or maximum value of £500k and no material change	Change control - CLEP Chief Executive and Accountable Body - Senior Manager and LEP IP Chair
Over 20% and/or over £500k and/or a material change to the project	Change Control, CLEP Investment Panel or CLEP Board

- Reviewing investment proposals, taking account of technical appraisals prepared by officers or procured provider
- Providing guidance and input on the development of a project pipeline
- Reporting on the progress of all funding and finance programmes and all delegated decisions to the LEP Board including but not limited to Getting Building Fund, Growth Deal funding, Growing Places Fund, Cumbria Investment Fund and Cumbria Growth Catalyst.
- Assuring and supporting the Board in making evidence based financial decisions.
- Developing, managing and monitoring Growth programme and project risks and ensuring that risks are mitigated or escalated to CLEP Board.

CLEP Strategy Groups

6.14 CLEP revised its governance structure to form a series of Strategy Groups, which are responsible for determining the strategic direction and delivery priorities of the five Foundations – Ideas/Innovation, People, Infrastructure, Business, and Places. Separate Strategy Groups have been established for each of these operating to a standard set of Terms of Reference.

6.15 The Strategy Groups are responsible for:

- Developing implementation plans to deliver the thematic elements of the Local Industrial Strategy and Restart, Reboot and Rethink;
- Reviewing the thematic elements of the Local Industrial Strategy, and other relevant business-related strategies, to ensure that these remain fit for purpose;
- Commissioning underpinning strategies, as and when necessary, to support the overall delivery of the thematic aspects of the Programme;
- Identifying emerging international and national policy, best practice and thematic trends, and ensuring that Cumbria actively responds to these;
- Identifying further investment sources and develop proposals to access these;
- Ensuring that a strong pipeline of thematic projects are in development and where necessary take action to stimulate these;
- Identifying key thematic delivery risks and mitigating these or escalating to the Investment Panel for resolution.

Sector Panels

6.16 The purpose of the Sector Panels is to act as the strategy and co-ordination arms of the CLEP Board for all sectoral issues. The Panels will ensure that the sector is supported to grow further, faster and deliver improved productivity, increased job opportunities, prosperity and social inclusion for Cumbria. It will also provide a collective voice for the sector and its interests, ensuring that the needs of the sector are understood, communicated to key audiences such as Government and effectively responded to. There are eight Sector Panels (advanced manufacturing, clean energy, construction, creative and cultural, logistics, professional services, rural, and visitor economy) reflecting Cumbria's priority sectors.

6.17 The Sector Panels are responsible for:

- Developing and implementing a sectoral strategy identifying the actions that need to be taken to improve productivity and help the sector grow and support the delivery of the overall strategic priorities within the LIS and Restart, Reboot, Rethink;
- Commissioning underpinning strategy work, as and when necessary, to support the overall growth ambitions of the sector;
- Identifying emerging sectoral international and national policy, best practice and thematic trends, and ensuring that Cumbria actively responds to these;
- Monitoring overall sectoral performance and identifying key emerging issues and proposals to address these;

- Ensuring that sectoral funding is deployed effectively, by identifying opportunities for the sector to work more collaboratively;
- Ensuring that the sector has a strong voice nationally and locally by working with all sectoral stakeholders to identify key delivery issues and presenting policy propositions to address these;
- Identifying key sectoral delivery risks and mitigate these or escalate to the Investment Panel for resolution.

Kingmoor Park Strategic Priorities Group [To be update following end of EZ programme]

6.18 The purpose of the Kingmoor Park Strategic Priorities Group is to oversee strategic decision making, stewardship and operational delivery of the Enterprise Zone. It will report into the LEP Board via the Investment Panel, in respect of monitoring progress in delivery of the Enterprise Zone Economic Growth targets. It will also make recommendations to the LEP Investment Panel and LEP Board on business cases for investment into the Enterprise Zone using the retained business rates achieved by the EZ.

6.19 The EZ Delivery team will directly oversee the day-to-day delivery of the different elements of the EZ and will provide the appropriate performance and monitoring information to the Strategic Priorities Group.

6.20 The Enterprise Zone Strategic Priorities Group responsibilities include:

- Developing implementation plans to deliver the Kingmoor Park Enterprise Zone masterplan and ensuring that this remains current and deliverable;
- Supporting the commissioning of underpinning strategies, as and when necessary, to support the overall delivery of the Enterprise Zone;
- Making recommendations to the Investment Panel, CLEP Board and ESIF Committee on investment priorities to support the implementation of the Enterprise Zone;
- Identifying appropriate investment sources and developing proposals to access these, including existing ESIF resources and emerging UK Shared Prosperity Funding;
- Determining phasing priorities and agreeing where public funding/ other resources can be used to support private sector investment to accelerate on site delivery and development;
- Developing and implementing a communications strategy to ensure that the opportunities within the Enterprise Zone are promoted nationally and internationally and that high-quality material is available to respond to any interest.

Local Enterprise Partnership (LEP) Scrutiny Board

6.21 Following agreement with the LEP and Cumbrian District Councils, the County Council established a Local Enterprise Partnership (LEP) Scrutiny Board at its annual meeting in April 2019 as a committee of the Council. The functions of the LEP Scrutiny Board are to review and scrutinise the decisions of the LEP and its progress and performance in delivering its programmes and strategies.

6.22 The LEP Scrutiny Board comprises 14 County Council members (who are the same as the members of its Scrutiny Management Board) and 6 District Council members, one from each District Council. All members of the committee are voting members. The Chair of the LEP Scrutiny Board is the Chair of the County Council's Scrutiny Management Board. It is anticipated that the LEP Scrutiny Board will meet twice a year, normally in March and September.

6.23 The Terms of Reference of the LEP Scrutiny Board are available on the County Council's website as part of its Constitution (Part 5C).

Futures Forum

6.25 In line with CLEP's commitment to inclusivity and diversity, a Futures Forum has been established consisting of 18–35-year-olds. The Futures Forum will provide a voice for younger people in advising and guiding CLEP in its key responsibilities for strategy, investment, co-ordination and advocacy on behalf of Cumbria, its economy, its businesses and its people.

6.26 The Forum will reach out to and engage with other young people to secure their views on issues relevant to the work of CLEP to ensure that the views of a wide range of younger people help shape and inform CLEP's activities.

Business and Economic Advisory Group

6.27 The Business and Economy Advisory Group will be established once the Business and Economic Response and Recovery Group (BERRG) of the Local Resilience Forum is formally stood down, in response to the COVID-19 pandemic. In anticipation of this the CLEP Board has formally recognised the role of the Group in advance of its formal operations.

6.28 It will act as an advisory group to provide feedback and comment to the entire Cumbria LEP (CLEP) governance structure, on any aspects of business and the economy that are brought to it for consideration. It will not displace any existing governance bodies but instead add value to these by providing a wider business, public and voluntary and community sector perspective.

Task and Finish Groups

6.29 CLEP will also establish Task and Finish Groups to deliver specific activities on behalf of CLEP Board or its Sub-Boards. These Task and Finish Groups will have specific Terms of Reference, which will be agreed from time to time by CLEP Board, together with a clear reporting line to either the CLEP Board or one of its Sub-Boards.

7. Membership of Board and its Sub-Boards

7.1 Current membership of the Board and Sub-Boards listed above is set out in Appendix C. Membership of the Board and its Sub-Boards will be reviewed from time to time but at least annually, to ensure that membership represents the community that we serve, is in line with the terms of appointment and to ensure that effective succession planning arrangements are in place.

8. Transparency and Accountability

8.1 CLEP is committed to the highest standards of transparency and accountability and will operate a tri-partite approach to accountability based on:

- **Central Government** – discharging accountability through the Annual Performance Review, including Annual Conversation, Annual Compliance Statement, Local Assurance Framework and the Annual Delivery Plan and end of year report.
- **Local Government** - discharging democratic accountability via membership on the LEP Board, the independent Local Government led Local Enterprise Partnership Scrutiny Board, the interim arrangements preceding this becoming operational, and engagement in the LEP's wider governance bodies. In addition, the LEP Chief Executive will host regular informal briefings for those Local Authority Leaders that are currently alternates on CLEP Board.
- **Wider Stakeholders and the public** – will be discharged through the Annual General Meeting; participation in the wider governance structure of the LEP and engaging in wider stakeholder events, such as the Local Industrial Strategy (LIS) Consultation Events.

8.2 CLEP values its relationship with its Members of Parliament and will therefore ensure that both 1-2-1s and meetings with groups of MPs are organised at regular intervals. This is to ensure that the LEP is sighted on MPs' constituency issues and concerns and that vice versa MPs are aware of the LEP's strategic and operational priorities and how they affect their area.

The Annual General Meeting

8.3 CLEP will hold an Annual General Meeting once a year, which will be open to the public and all stakeholders.

8.4 The Annual General Meeting will ordinarily be held in September with this advertised in advance on the LEP website, through the wider governance structure and via local media. This deadline will allow for the presentation of the Annual Audited Accounts from the previous Operating Year from 2019/20 onwards.

8.5 An Annual Report will be produced for the Annual General Meeting, which will outline the activities of the LEP in the previous operating year and the proposed priorities for the coming year. This will also detail the membership of the LEP Board and its Sub-Boards, LEP Team Members and a copy of the Annual Audit Accounts. This report will be distributed to all Annual General Meeting attendees and will be placed on the CLEP website so that it is available to all interested parties.

9. Support and Administration Arrangements

9.1 The support provided by the CLEP Executive is independent and will operate under the direction of the Chair and the Board. The Executive will be resourced by a combination of secondees and direct employees. Any secondees employed by the

Executive will have secondment arrangements that make it clear that whilst seconded to CLEP they will report directly to CLEP.

9.2 The CLEP Chief Executive will ensure that the Executive provides the necessary support to the CLEP Board and its Sub-Board bodies. The Chief Executive's responsibilities include, but are not limited to, the following:

- Advising the Board and Sub-Boards in an independent and impartial way on good governance, propriety and compliance;
- Providing the independent Secretariat for the LEP;
- Supporting Board members in discharging their LEP duties;
- Providing strategy, policy and delivery advice;
- Supporting the recruitment, appointments and induction process for all governance appointments;
- Benchmarking LEP performance and identifying areas for action, in relation to this;
- Preparing and circulating agendas, papers and minutes of meetings;
- Facilitating engagement with stakeholders, including government, Borderlands and Northern Powerhouse 11 (NP11) colleagues and the wider LEP Network;
- Representing, and providing presentations, on behalf of the LEP in external meetings, events and conferences;
- Managing the LEP team and ensuring that the team is deployed in line with business priorities;
- Managing LEP budgets in line with all financial and propriety requirements;
- Ensuring that risk is effectively managed and brought to the attention of the Board;
- Acting as an ambassador for the organisation;
- Managing communications through all appropriate channels.

9.3 The CLEP Executive will be supported, as appropriate, by a team of officers drawn from the constituent local authorities directly responsible for relevant functional areas. This will help demonstrate the partnership nature of the LEP and its collaborative approach to delivery.

9.4 It is expected that consultants will be used to provide additional expertise and technical support as required, including the independent scrutiny of the emerging Business Cases that the Investment Panel will review and consider. This work will be managed by the CLEP Executive Team. Any consultants will be expected to adhere to the principles outlined at paragraph 2.3.

9.5 CLEP is essentially a strategic body and much of the delivery of its programmes and strategic objectives will be achieved through close working with private, public and voluntary and community sector partners, with this input predominantly secured via the governance structure at Board and Sub-Board level.

9.6 Strong working relationships are in place between the CLEP Executive and the Local Authorities to ensure that resources are aligned to support CLEP's strategic objectives and priority interventions. Representatives from each of the constituent

Local Authorities are invited to sit on CLEP Strategy Groups and Sector Panels and other Sub-Boards, as appropriate. CLEP Investment Panel includes senior representation from the Accountable Body discharging the Section 151 function. This representation ensures strong alignment of strategic priorities and resources.

9.7 Democratic Accountability for these arrangements is achieved via the Local Enterprise Partnership (LEP) Scrutiny Board established by the County Council in April 2019. This Board allows all local authorities in Cumbria to contribute to the review of the strategic, delivery and financial performance of CLEP. Additionally, there is CLEP Board representation at any one time by five of the eight Local Authorities, with three of the six District Councils serving a term of two years before handing over to the other three Districts. Cumbria County Council, as the Accountable Body, has a permanent seat, as does the Lake District National Park Authority.

9.8 CLEP will deliver BEIS's national Growth Hub programme to fund triage, diagnostic and business support services. It will do this via a combination of inhouse resource and a series of sub-contractors to ensure that businesses have geographic, sectoral and client group choice. By understanding the needs of local business CLEP will improve co-ordination of local business support with national programmes and introduce new services to fill any gaps to help businesses grow. This activity will receive strategic oversight from the Investment Panel. The Business Strategy Board will have a role in informing the delivery priorities of the business support programmes, providing that these are in line with the five principles as outlined by BEIS.

9.9 The responsibility for ensuring value for money for all projects and programmes and for scrutiny of recommendations relating to each business case will rest with the CLEP Chief Executive.

10. Cross-LEP Working

10.1 CLEP is a member of the Northern Powerhouse 11 (NP11) and has committed to work collaboratively with the other 10 LEPs within the NP11 on the work programme that is being developed and is currently taking a lead on the Places work. CLEP will submit time and resource to ensure that the NP11 achieves greater added value through working together on these strands of activity. In the context of the NP11 CLEP will also develop close working relationships with our neighbouring LEPs – Lancashire and NE - and work on issues of mutual interest.

10.2 CLEP is committed to, and actively engaging in, the Borderland Inclusive Growth Deal, which is a cross-Border initiative consisting of Carlisle City Council, Cumbria County Council, Dumfries and Galloway Council, Northumberland Council and Scottish Borders Council. Work is ongoing to ensure that there is strong alignment between the priorities of CLEP and those of the Inclusive Growth Deal, particularly around digital, infrastructure and skills.

10.3 CLEP is fully committed to supporting the LEP Network and regularly attends and participates in the Network's meetings. The CLEP Chief Executive provides one of the two NP11 leads on the LEP Network supra-regional grouping.

10.4 Additionally, a number of the priorities, themes and interventions identified by CLEP in its Local Industrial Strategy are not confined to Cumbria, such as cross-LEP working on nuclear with the other North West LEPS, Heart of the South West and New Anglia LEPS. The CLEP Board will identify opportunities to work with other LEPS (either on a geographical or sector basis) and on such occasions a clear set of principles for collaboration will be established and agreed prior to activity commencing.

10.5 In instances where Cumbria LEP jointly fund activities or projects with other LEPS, clear operational and governance arrangements will be agreed prior to activity commencing. This is to ensure maximum effectiveness but with appropriate control and will need to be on a case by case basis relating to the specific investment proposals and agreed with the accountable bodies.

11. Code of Conduct and Conflicts of Interest

11.1 It is axiomatic that CLEP as a body must act in the interests of Cumbria as a whole and not according to the sectoral, geographical or organisational interests of individual member organisations or Board members.

11.2 Voting rights are set out in the Terms of Reference for the LEP Board.

11.3 Each CLEP representative is under an obligation to act in the best interests of the LEP as a whole and in accordance with its governing documents. This includes each and every employee or Board member signing up to abide by the Nolan Principles of public life.

11.4 Conflicts of interests may arise where an individual's personal, family, business or organisational interests and/or loyalties conflict with those of CLEP or the group or meeting that employees or Board members are attending. All Members and staff will declare interests as set out in the LEP's Code of Conduct and Conflict of Interest Policy (Appendix D).

11.5 CLEP will manage conflicts of interest in accordance with existing protocols and codes of conduct and with the organisation's Code of Conduct and Conflict of Interest Policy (Appendix D).

11.6 All CLEP Board members will be provided with an induction and training programme, which will include specific sessions on conflict of interest and code of conduct. This will ensure that Board Members understand their role, are adequately supported to provide challenge and direction to their LEP and understand how best to work with Government. The induction and training programme will be completed either prior to appointment or within 4 weeks of appointment. No Board member will be able to be formally appointed until they have signed up to CLEP's Code of Conduct.

11.7 The induction process will be reviewed on an ongoing basis and amended to respond to Board members' feedback. There will also be an exit interview for members leaving the Board to seek their views in terms of opportunities to further develop systems and processes.

12. Gifts and Hospitality

12.1 CLEP has a policy setting out its position on the receipt of gifts and hospitality (Appendix E). All Board members and staff are required to abide by the terms of that policy.

12.2 A copy of the Hospitality Register is on the CLEP website.

13. Travel and Subsistence

13.1 CLEP has a travel and subsistence policy for CLEP private sector and Voluntary and Community Sector Board members, which makes provision for main Board members to be reimbursed for legitimate expenditure incurred during activities delivered on behalf of the LEP (Appendix F). At this point in time CLEP does not provide any payment other than expenses to its private sector Board members.

13.2 A copy of the Travel and Subsistence Register is on the CLEP website.

14. Engagement Strategy

14.1 The LEP is committed to being collaborative, consultative and communicative, adopting an open and inclusive approach to all aspects of its business, which is outlined in the engagement strategy provided at Appendix G.

14.2 CLEP will ensure that it continues to engage members of the public and other key stakeholders in the development of its key strategies and investment priorities. CLEP will invite consultation responses from across all of its communities on the development of its strategies and products using the model developed for the Local Industrial Strategy and make clear how these have been influenced by feedback received.

14.3 CLEP will also stipulate to scheme promoters that a full consultation strategy is required in the development and delivery of all schemes.

15. Complaints Policy

15.1 CLEP, and Cumbria County Council, as Accountable Body, has procedures in place to deal with and respond to complaints from stakeholders and members of the public against the LEP or members of the LEP (Appendix H).

16. Whistleblowing

16.1 CLEP has a whistleblowing procedure (Appendix I) in cases where it is alleged that CLEP is acting in breach of the law or failing to safeguard public funds. Cumbria County Council, as Accountable Body, and the LEP Compliance Officer in Cities

and Local Growth Unit are made aware of any whistleblowing submissions made to CLEP.

17. Data Protection

17.1 CLEP is committed to ensuring the highest standards when collecting and using personal information in accordance with data protection law. The policy sets out how CLEP handles personal data and how CLEP complies with the requirements of the General Data Protection Regulation (GDPR) and is provided at Appendix J.

18. Equality, Diversity and Inclusion

18.1 The Cumbria LEP is fully committed to equality, diversity and inclusion and is actively working towards achieving this on its Board. It is actively working towards equal representation by 2023. It is also committed to securing representation from those with protected characteristics, in line with the businesses and communities that we serve. Our approach to ensure that we do this all we can to achieve this is set out in Appendix K.

19. Freedom of Information (FoI)

19.1 CLEP is a non-statutory body and, as such, is not subject to the Freedom of Information Act 2005 or the Environmental Information Regulations 2004. However, in the interests of transparency we will process any FOI requests, as if we were, as we are committed to meeting the highest standards of corporate governance. The LEP's FOI policy can be found at Appendix L.

20. Accountable Body

20.1 Funding devolved to CLEP from Government is managed on its behalf by Cumbria County Council, as the single Accountable Body for CLEP as from the 2019/20 financial year onwards. A representative from the Accountable Body sits on CLEP's Investment Panel, with the Accountable Body's Section 151 Officer, who has reviewed this Local Assurance Framework, or her representative acting as an adviser to the Panel.

20.2 The primary role of Cumbria County Council, acting as the Accountable Body, will be to hold the devolved monies allocated to CLEP (including Local Growth Fund) and make payments to the partner delivery bodies. It will also account for these funds in such a way that they are separately identifiable from the Accountable Body's own funds, and provide financial statements to CLEP's Board and Executive, as required.

20.3 Cumbria County Council, as Accountable Body, and CLEP have entered into a Memorandum of Agreement (Appendix M) setting out the roles and responsibilities of each party together with their respective liabilities. This also details what would happen in the event of any dispute or difference arising out of the rights, duties or liabilities of CLEP and their Accountable Body. If the MoA resolution procedures do not result in a satisfactory resolution then either party to the dispute may on giving written notice to the other, requiring the dispute to be referred to the Department for Business, Energy and Industrial Strategy or DLUHC as sponsoring bodies.

20.4 As Accountable Body, Cumbria County Council's primary purpose is as the body responsible for overseeing the proper administration of financial affairs within the LEP when these relate to public funds. In particular it is responsible for the following activities:

- Ensuring that the decisions and activities of CLEP in relation to devolved funding conform with legal requirements with regard to equalities, social value, environment, State Aid, public procurement etc;
- Holding public funds paid by government on behalf of CLEP and ensuring (through their Section 151 Officer) that the funds are used with propriety, regularity, deliver value for money and are managed appropriately, prudently and in accordance with the conditions placed on the grant;
- Oversight of the LEP governance and transparency arrangements, compliance with the Local Assurance Framework, as approved, and agreement on scrutiny arrangements to ensure that the checks and reporting requirements are met;
- Maintaining the official record of decisions relating to devolved funding and drafting funding agreements and contracts;
- Ensuring that there are arrangements for local audit of funding allocated by CLEP at least equivalent to those in place for local authority spending.

20.5 The relationship of a promoting authority or organisation in respect of a particular scheme or project seeking Local Growth Funding will be documented in formal legal agreements with CLEP in a format agreed by the Accountable Body.

20.6 Promoting authorities or organisations will be responsible for providing suitable evidence and assurances to the Accountable Body that all necessary internal approvals and processes have been followed in respect of particular schemes.

20.7 The role of the Section 151 officer is outlined within the CIPFA principles for section 151 officers in accountable bodies working with LEPs and is based on five principles - Enshrining a corporate position for the Section 151 officer in LEP assurance; creating a formal/structured mandate for the Section 151 officer; embedding good governance into decision making; ensuring effective review of governance; and appropriate skills and resourcing".

20.8 CLEP will ensure that the Section 151 Officer or her representative is given access to all information necessary in order to carry out their role. All CLEP Board documents will be provided to the Section 151 Officer or her representative and

where decisions are being made the Section 151 Officer will have the opportunity to comment.

21. Risk

21.1 CLEP has produced a risk register (Appendix N), which is developed and monitored by the Board to ensure that appropriate mitigation actions are in place. The responsibility for identifying risks has been cascaded throughout the governance structure with all Sub-Board bodies identified to identify risks and mitigate these, or escalate these to the Board. The risk register is a standing item on each CLEP Board agenda and as such an up to date copy is available on the CLEP website within each Board Paper pack.

21.2 The Investment Panel has a specific Programme and Project risk register, which is reviewed at each meeting to ensure that risks are being effectively managed or escalated to the Board, as appropriate.

22. Audit and Scrutiny

22.1 CLEP will agree with the Accountable Body an annual audit schedule for local audit and scrutiny for the projects within the LEP's funding programmes, which will be carried out each year.

22.2 In line with the Articles of Association CLEP's Audit Committee will appoint an independent body to audit the annual accounts of the company. These audited accounts will be presented at the Annual General Meeting and published within the Annual report as from 2020 onwards, when the first full year's accounts for 2019/20 were made available.

22.3 Independent scrutiny arrangements are in place to provide collective review and oversight of CLEP's activities through the Local Enterprise Partnership (LEP) Scrutiny Board established by the County Council in April 2019. This Scrutiny Board aims to provide checks and balances in the operation of CLEP, support accountable and transparent decision making and help to improve systems and processes. This should ensure that the implementation of the Local Industrial Strategy and Restart, Reboot, Rethink is focused on maximizing Cumbria's opportunities and addressing the areas key challenges. In addition, CLEP will attend and report to individual Local Authority Scrutiny Committees, on request.

23. Transparency

23.1 CLEP is a private company limited by guarantee. In line with the Government's expectations of Local Enterprise Partnerships, CLEP will adhere as far as practicable to the Local Government Transparency Code.

23.2 The LEP has an established website which will be used to publish all of the following information in line with the National Local Assurance Framework (September 2021), including:

- The Local Assurance Framework;
- An annual financial statement;
- The LEP annual report and delivery plan;
- A statement on the publication of meeting papers, minutes and agenda items;
- Copies of LEP Board meeting agendas, papers and minutes;
- The Annual Assurance statement from the leadership of the LEP;
- The LEP's Code of Conduct and Conflict of Interest policy;
- Board Members' registers of interest and the register of the Chief Executive Officer;
- The LEP hospitality and expenses register;
- Complaints policy;
- Whistleblowing policy;
- A rolling schedule of projects, outlining a brief description of the project, names of key recipients of funds/contracts and amounts of funds designated by year. This will be updated every quarter or more frequently if relevant (e.g. when new projects are signed-off); and
- Key LEP documentation including the Local Industrial Strategy and Restart, reboot, rethink together with other strategies and analysis to support these.

23.3 All major investment decisions, in excess of £1million, will require approval through a majority vote by CLEP Board. The process for how such decisions are made will be published on CLEP Website through this Local Assurance Framework.

23.4 Information on schemes promoted by Local Authority partners may be requested direct from the promoting organisations.

24. Publication of Accounts and Financial Information

24.1 CLEP will ensure that our accounts are published and financial information is transparent and there are clear links to any financial information on our website. We will also work with our Accountable Body to ensure that their accounts are published which includes the funding they receive from government on behalf of CLEP.

24.2 In addition to publishing our company accounts CLEP will also publish a financial statement each year within our Annual Report which includes:

- a. The total amount of funds within the LEP's direction or control at the start and end of the financial year;
- b. The total amounts committed by the LEP to external organisations through grants and risk finance (loans, equity, guarantees and quasi-equity);
- c. The total amounts committed to suppliers to purchase goods, works or services; and
- d. The total amounts incurred in running the LEP (for example salary costs, lease payments and expenses).

24.3. CLEP will also provide a link to the Accountable Body accounts on our website. A link will also be provided to CLEP's accounts for the relevant financial year on the Companies House website in the financial statement and published on the website.

25. Monitoring and Review

25.1 This Local Assurance Framework is a living document. It will be reviewed at least annually and following the production of the annual assurance statement by the Section 151 Officer. This will be completed by the Executive and agreed by the CLEP Board. Reviews will take place more frequently if circumstances require this, for example if the National Local Growth Assurance Framework, is reviewed and updated, new central government guidance is provided, recommendations are made by the Local Enterprise Partnership (LEP) Scrutiny Board or the Accountable Body.

25.2 The Local Assurance Framework is published on CLEP's website in accordance with national guidance.

PART 2: PROJECT PRIORITISATION AND INVESTMENT DECISIONS

1. Introduction

1.1 LEP's Investment Panel has responsibility for developing and maintaining a robust project pipeline in order to ensure that the LEP's strategic growth priorities can be achieved. This pipeline enables the LEP to identify those projects that it may wish to invest in as well as those projects that it can support to access alternative sources of funding.

1.2 The Investment Panel also has responsibility for scrutinising projects put forward for funding under the Local Growth Fund and other devolved funding streams. It is also responsible for scrutinising performance of the delivery of the programmes.

1.3 This part of the Assurance Framework relates primarily to the working of CLEP Investment Panel and sets out the prioritisation and decision-making processes that CLEP follows in order to deploy the funds at its disposal.

2. Project and Programme Eligibility Criteria

2.1 The strategic priorities, enabling programmes and intervention priorities for CLEP are identified within its Local Industrial Strategy and European Structural Investment Fund Strategy. CLEP will only consider funding projects and programmes, which support those strategic priorities and economic drivers.

2.2 The Investment Panel will work with CLEP's key partners and stakeholders to identify potential interventions that may contribute to achieving the LEP's strategic growth priorities. These interventions could range from large-scale transport schemes and projects to fully-defined packages or programmes of measures that, when combined, align with delivery of CLEP's strategic objectives and offer the added value of a major scheme.

2.3 Loosely defined or unspecific schemes will not be considered for funding.

2.4 The Project Pipeline will comprise of projects that can be considered for a range of funding streams including, but not limited to Getting Building Fund, Local Growth Fund, European Structural Investment Funds and Growing Places Fund (known locally as Cumbria Infrastructure Fund). There is no minimum scheme cost threshold for project promoters seeking funding through the Local Growth Fund, however given the level of input and information required when developing an appropriate business case, it is likely that projects seeking less than £500k will be discouraged, unless there is a clear and justifiable strategic rationale for this. Projects will need to ensure they satisfy any funding thresholds set for the individual funding streams for which they are considered. Incremental levels of project supporting information will be required to reflect project size and the scale of funding being requested.

2.5 A prioritisation methodology has been developed for scheme prioritisation based on best practice and reflecting local circumstances. The prioritisation methodology can be found on CLEP's website:

<https://www.thecumbrialep.co.uk/wp-content/uploads/2018/03/KPMG-Prioritisation-Document.pdf>

3. LEP Contribution

3.1 There is no fixed level of funding contribution to projects and programme from CLEP, however it is anticipated that the LEP's contribution will not be above 75% of the overall project cost, unless in the case of exceptional circumstances. All project promoters will be expected to demonstrate that the funding they are seeking is the minimum level required for the project to be successfully delivered and confirm that other sources of funding are in place to cover the balance of project costs.

3.2 In relation to FE Skills Capital projects that are supported, CLEP's contribution will generally be capped at 50% of the total scheme cost, with the promoting organisation funding the balance from its own resources or other eligible funding streams, other than in exceptional circumstances.

3.3 For all projects, any cost increases incurred after Final Approval will be borne in full by the promoting organisation and the total project costs will be subject to review and challenge. Monitoring activity will require evidence of total project spend not just that relevant to CLEP intervention.

3.4 Generally, CLEP funding will only contribute towards the capital cost of the scheme. In certain circumstances CLEP may support applications, which include an element of revenue support, but these will be dependent upon a prior indication from Government that they have revenue funding available. LGF (Growth Deal) cannot be used to meet revenue costs of projects.

4. Identification and Selection of Eligible Projects

4.1 CLEP will widely advertise opportunities detailing the call criteria, which fit with the Local Industrial strategy, European Structural Investment Fund Strategy (ESIF) and any requirements related to the funding source. In addition, existing major schemes that have the potential to contribute towards the LEP's strategic growth priorities may be put forward for funding. All projects will be assessed against the LEP's prioritisation methodology.

4.2 In relation to transport-related projects CLEP will encourage the promoting authorities to consider as wide a range of options as possible including all modes, infrastructure, regulation, pricing and other ways of influencing behaviour.

4.3 All projects will be assessed in the first instance by the CLEP Executive and the Accountable Body adhering to the principles set out in this Assurance Framework,

CLEP Prioritisation Methodology as well as HM Treasury Green Book Principles and DLUHC Appraisal Guidance.

4.4 The Accountable Body will ensure that where appropriate, robust ethical walls are established, in line with the Memorandum of Agreement, to ensure that all project assessments are conducted in an impartial manner.

4.5 Where projects are of a significant size, or where specialist expertise is required, CLEP will utilise the support of specialist economic appraisal consultants to undertake independent analysis of project submissions. This could also include providing early advice to ensure the success of Business Cases.

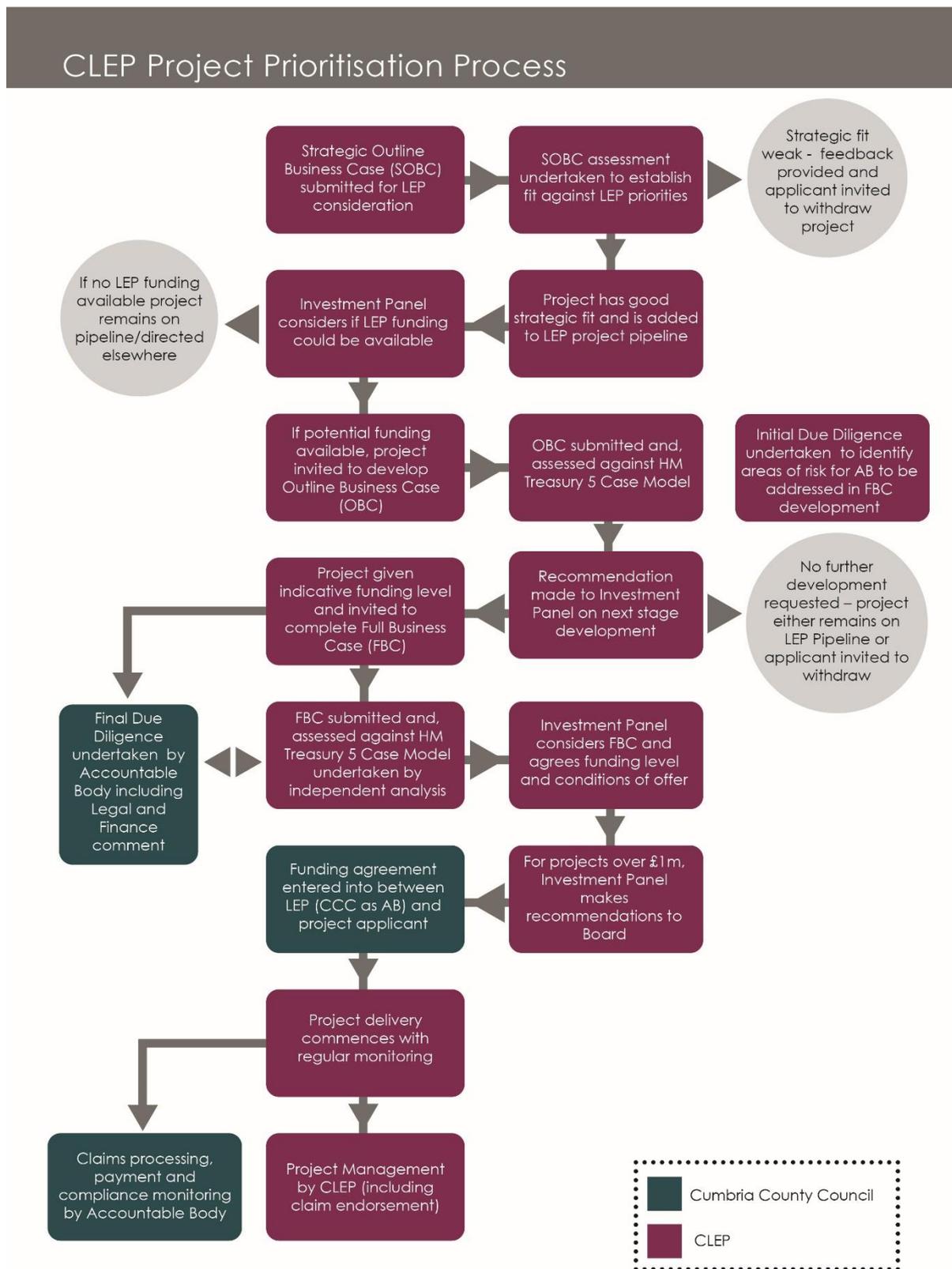
4.6 Projects will be prioritised and appraised in accordance with the prioritisation methodology, which sets out the criteria and rationale against which projects and programmes will be identified, commissioned, appraised and prioritised. The prioritisation methodology provides an assessment of each application against the following key criteria:

- **Strategic fit and rationale for intervention** – does the project support the LEP's growth objectives and is there a clear rationale for public intervention?
- **Leverage** – does the project have other match funding secured and could it deliver wider benefits?
- **Economic impact** – does the project contribute towards key CLEP objectives such as GVA or jobs growth and has appropriate consideration of additionality been taken into account?
- **Deliverability and risks** – Can the project be delivered within the appropriate timescales for each individual funding stream? What are the risks associated with the project and what are the plans to mitigate against them?
- **Wider impacts** – does the project enhance other schemes or unlock the potential for ongoing development?

4.7 CLEP will utilise a three-stage process for all project proposals which is in line with the HM Treasury Green Book principles:

- **Stage 1 - Strategic Outline Case** – this establishes at a high level the nature of the project, the fit with LEP priorities, identification of key stakeholders, timescales, estimated costs, funding request, outputs and risks (see Appendix Q).
- **Stage 2 – Outline Business Case** – expands on the strategic outline case and includes financial and options appraisals for the proposals as well as an options analysis to determine the optimal solution (See Appendix R).
- **Stage 3 - Full Business Case** – builds upon the outline and business case, providing a robust plan for delivery, full risk analysis and full costings (See Appendix S).

4.8 The CLEP prioritisation process can be summarised below:



4.9 CLEP will produce a Value for Money (VfM) Statement following assessment of the scheme's economic case at each approval stage. The VfM Statement will be in a standard format which is agreed by the Accountable Body's Section 151 Officer and the Investment Panel. The Statement will provide information to help decision makers assess the scheme's economic case and will include:

- A brief summary of the scheme proposal;
- A summary of the economic analysis undertaken;
- A summary of costs and benefits as well as how these have been assessed;
- Quantitative and qualitative assessments;
- Information on the Benefit Cost Ratio (BCR) of the preferred proposal;
- Summary of any key risks, sensitivities and uncertainties.

4.10 All applicants will receive feedback at each stage in order to support the ongoing development of strong project proposals.

4.11 Applicants will be expected to demonstrate how their project delivers social value in line with the emerging Local Industrial Strategy goals.

4.12 Applicants will also be expected to identify how their project(s) contribute towards the sustainability and Low Carbon agendas. CLEP will take a proportionate approach to assessing the contribution that a project is able to make and will provide advice during the application process as to how low carbon and efficiency improvements could be 'designed in' to final project delivery.

Strategic Outline Case

4.13 In order to maintain a robust pipeline of projects, the LEP is open to the submission of Strategic Outline Cases at any time. Completed Strategic Outline Cases will be considered at the next appropriate Investment Panel against the prioritisation methodology as well as considering if there are other suitable sources of funding and if the LEP has funding available.

4.14 If the Investment Panel concludes that the project fits strategically, provides sufficient justification for public intervention and meets the individual criteria of any LEP funding streams, the project is placed on the LEP Project Pipeline and invited to complete an Outline Business Case.

4.15 However, if the project fits with LEP aims and objectives, but there is insufficient funding to provide support, the project will be placed on CLEP Project Pipeline until alternative funding support can be identified.

4.16 Should the project be deemed not to fit with CLEP priorities or there are significant issues, which would prevent the project from progressing further in the process, the applicant will be informed accordingly and advised as to how to develop the proposal further.

4.17 In exceptional circumstances or in the case of smaller projects, applicants may be invited to move straight from Strategic Outline Case to Full Business Case. In such instances, this will need to be agreed by the CLEP Investment Panel.

Outline Business Case

4.18 Following successful completion of a Strategic Outline Case, projects will be invited to develop an Outline Business Case in order to provide more detail on each element of the project. The Outline Business Case follows the Treasury Green Book model (2018) and includes information on:

- **The Strategic Dimension** – What is the case for change, including the rationale for intervention? What is the current situation? What is to be done? What outcomes are expected? How do these fit with wider CLEP or national government policies and objectives?
- **The Economic Dimension** – What is the net value to society (the social value) of the intervention compared to continuing with Business As Usual? What are the risks and their costs, and how are they best managed? Which option reflects the optimal net value to Cumbria?
- **The Commercial Dimension** – Can a realistic and credible commercial deal be struck? Who will manage which risks?
- **The Financial Dimension** – What is the impact of the proposal on the public sector budget in terms of the total cost of both capital and revenue?
- **The Management Dimension** – Are there realistic and robust delivery plans? How can the proposal be delivered?

4.19 Assessment of an Outline Business Case will utilise the Cumbria LEP's Prioritisation Methodology. The Investment Panel will also consider:

- Evidence to justify the scheme and its contribution towards solving the identified problems and meeting Cumbria LEP and government's objectives;
- What is the value for money offered by the scheme? This can be in terms of Net Present Social Value or Benefit Cost Ratios;
- Is the scheme affordable? Is the cost of the scheme greater than the funding available?
- Is the scheme likely to be successfully delivered within the funding period?
- Is the scheme considered to be high risk at this stage?
- The robustness of data underpinning the proposal;
- Are the identified costs realistic?
- Is the project compliant with State Aid regulations?
- Does the project add values in terms of social value, sustainability or contributing to the Low Carbon agenda?

4.20 This stage in the process allows the Investment Panel to consider if a project provides the best solution for meeting CLEP's strategic aims.

4.21 In order to support decision making, the Investment Panel will have access to the following documents:

- Submitted Outline Business Case;
- Appraisal of Outline Business Case incorporating comments from independent external assessors, CLEP Executive and Accountable Body;
- Summary of any recommendations on further business case development needs;
- Recommendation as to whether the submission of a Full Business Case should be invited.

4.22 The Investment Panel will then decide whether to invite the completion of a Full Business Case or whether the project still needs to undertake further development work. Those projects requiring further development work will remain on the LEP's Project Pipeline.

4.23 If the Investment Panel invites the completion of a Full Business Case, the project will be provided with an indicative grant funding level to aid more accurate scheme development.

Full Business Case

4.24 Projects invited to this stage in the prioritisation process will build substantially on the work completed in the Outline Business Case to complete the Full Business Case which again follows HM Treasury Green Book principles.

4.25 In addition to the LEP's Prioritisation Methodology, the Investment Panel will assess schemes including a focus on Value for Money, and for transport related schemes, Benefit Cost Ratio (BCR) is traditionally used. However, CLEP recognises that for some projects, this isn't appropriate and in such instances qualitative assessment techniques such as wider economic benefits may need to be utilised as an alternative. Where BCR is applied, CLEP would expect that schemes would be expected to meet a minimum value for money threshold by demonstrating a BCR of over 2.0. However, CLEP would consider supporting projects with a BCR of less than 2.0 in line with revisions to the Green Book, which recognises that BCR is only one component of the value for money assessment and should not be the sole driver of decision making.

4.26 The LEP will request that scheme promoters adopt a proportionate approach to developing Full Business Case submissions. For example, a £6m scheme will require a greater level of detail than a £0.5m project. In discussion with individual project sponsors, CLEP will utilise proportionate assessment and evaluation practices depending on the size of the scheme, but also taking into consideration other key factors such as risk and complexity, using the Thresholds for Appraisal outlined overleaf:

Thresholds for Appraisal

		Cost					
		Non-Transport Schemes			Transport Schemes		
Complexity/Risk		Low (Less than £1m)	Medium (£1m-£5m)	High (Greater than £5m)	Low (Less than £3m)	Medium (£3m-£5m)	High (Greater than £5m)
	Low	Value for money/GVA impact – ratio of GVA per £ spent simple appraisal	Value for money/GVA BCR and other 'relevant' benefits appraisal	Full HM Treasury Green Book compliant business case including GVA assessment	BCR/GVA simple appraisal	BCR/GVA simple appraisal	Full WebTAG compliant business case & GVA assessment
	High	Value for money/GVA BCR and other 'relevant' benefits appraisal	Value for money/GVA BCR and other 'relevant' benefits appraisal – individual Green Book cases may be applied	Full HM Treasury Green Book compliant business case including full CBA and GVA assessment	Full WebTAG compliant business case and GVA assessment	Full WebTAG compliant business case and GVA assessment	Full WebTAG compliant business case and GVA assessment

4.27 Projects with a grant request of £5m or over will be expected to complete a full Economic Appraisal.

4.28 Transport scheme Business Cases will be required to follow TAG (Appendix T) in all cases, applying the Department for Transport's principles of proportionate appraisal, while non-transport schemes will generally be expected to follow Treasury Green Book appraisal principles.

4.29 Housing schemes will be considered in line with DLUHC's Appraisal Guide and Homes England good practice, advice and guidance to ensure value for money and effective delivery of housing objectives.

4.30 CLEP will commit to publish and publicise Full Business Cases for transport schemes on its website and provide opportunity for stakeholders and members of the public to comment. CLEP will publish such details three months in advance of

any investment decision. Where exceptional circumstances exist, CLEP will identify clearly on its website why these timescales have not been met.

4.31 CLEP will consider comments submitted by stakeholders and members of the public during its decision making processes.

4.32 CLEP has incorporated Education and Skills Funding Agency good practice, advice and guidance into its assessment processes for skills capital schemes. This will ensure that all skills capital projects will deliver value for money as well as effective skills outcomes for the area.

4.33 In instances of changes to a major scheme, for example in terms of cost and/or scope during the approval process, Cumbria LEP will establish a transparent process whereby the revised scheme will be resubmitted to the Investment Panel for it to consider whether it will provide continued support for the project as a CLEP priority.

4.34 Completed Full Business Cases will be considered by the Investment Panel with a funding allocation provided, subject to the completion of a signed funding agreement. In the case of projects with a grant funding request of less than £1m the Investment Panel has the delegated authority of CLEP Board to approve the Full Business Case.

4.35 Where a scheme has a funding request in excess of £1m, the Investment Panel will provide a recommendation to either support or reject the project to CLEP Board, with the final decision made by CLEP Board.

4.36 A positive decision will require a majority decision (i.e. over 50%) of the Investment Panel or CLEP Board.

4.37 The Investment Panel and where appropriate the CLEP Board will have access to the following documents as a minimum in order to support their decision making process:

- Full Business Case (where it differs substantially from the approved Outline Business Case);
- Appraisal of the Full Business Case incorporating comments from independent external assessors, CLEP Executive and Accountable Body;
- Summary of comments from stakeholders and members of the public for transport schemes;
- Evidence of consideration of any relevant additional government guidance or requirements (e.g. Webtag; Skills Funding Agency; Homes England good Practice Guidance or DLUHC's Appraisal Guidance);
- A recommendation as to whether the project should be funded;
- Suggested conditions of offer for approval and inclusion within the funding agreement.

4.38 In line with the Terms of Reference, in exceptional circumstances investment decisions may be taken by the Investment Panel or the CLEP Board in the absence of a meeting through utilising written procedure.

4.39 Where a written procedure is utilised, this must be done with the agreement of the Chair of the Investment Panel and where appropriate the Chair of the CLEP Board. This will require a majority (at least 50%) of the Board or Investment Panel to agree to the investment before being approved, in line with CLEP's decision-making requirements.

4.40 Following a positive investment decision, the Chief Executive or Head of Programmes will notify the Accountable Body to enter into a funding agreement. A letter will also be sent to the project sponsor summarising the decision as well as setting out the proposed conditions of offer.

4.41 The Accountable Body will acknowledge receipt and then enter into negotiations to establish a funding agreement. Once agreed by all parties, the S151 Officer will issue the funding offer to the applicant and advise CLEP that the action has been completed.

5. Transparency

5.1 Cumbria LEP is committed to ensuring that its decision making is fully open and transparent and reflects the requirements of the National Local assurance Framework (September 2021).

5.2 The Investment Panel and CLEP Board will make decisions in line with the Terms of Reference and have due regard for the Conflicts of Interest and Code of Conduct policies. Any decisions made in contravention of the process will be invalid on the basis of non-compliance unless the Board has given prior approval for variation in the decision making process. The Investment Panel and Board will also complete a Register of Interests, which will be updated as necessary and at least bi-annually.

5.3 All investment decisions will be published on the CLEP website www.thecumbrialep.co.uk. All finalised Full Business Cases will also be published on the website. Where information is commercially sensitive, or contains personal data, appropriate sections will be redacted.

5.4 CLEP publishes details of its prioritisation process along with relevant guidance and Business Case forms on the website.

5.5 The CLEP Executive will keep a full record of all decisions taken across CLEP decision making bodies and will make these available to the Accountable Body as requested.

5.6 CLEP has in place a Complaints Policy which is outlined at Appendix H. The CLEP will follow this policy when promptly handling any complaints relating to Investment Decisions.

6. Publicity

6.1 All successful project applicants will be expected to comply with the Government branding guidelines for projects covered by this Local Assurance Framework. CLEP will ensure that this branding and wording is used for websites, signage, social media, press notices, and other marketing materials. Compliance with the branding guidelines is a contractual obligation within the Grant Funding Agreement for both Getting Building Fund and Local Growth Fund. All project applicants receiving Getting Building Fund or Local Growth Fund will be expected to display a plaque confirming this support.

PART 3: PROGRAMME MANAGEMENT, RISK AND AUDIT

1. Introduction

1.1 The Investment Panel is responsible for scrutinising the performance of CLEP's Investment Programme and for ensuring its successful delivery. It is also responsible for identifying risks to the achievement of either financial or performance outputs and developing appropriate mitigation actions or escalating these to the CLEP Board.

1.2 CLEP is committed to ensuring that all projects which are delivered utilising LEP funding are managed within the context provided by this Assurance Framework.

1.3 In line with the Memorandum of Agreement, Cumbria County Council, acting as Accountable Body, will hold monies devolved to Cumbria LEP and make payments to appropriate partner delivery bodies. It will also account for these funds in such a way that they are separately identifiable from the Accountable Body's own funds.

2. Contracting

2.1 In line with the Memorandum of Understanding, the Accountable Body will enter into funding agreements with individual promoting authorities on behalf of CLEP for all funding under CLEP's control.

2.2 No funding agreement will be entered into without completion and agreement of a suitable Full Business Case (or alternative application in line with individual programme requirements) by either the Investment Panel or CLEP Board as set out in the Terms of Reference and this Local Assurance Framework.

2.3 Funding agreements will be developed and issued in line with the requirements of the individual funding programme.

2.4 In line with the Memorandum of Agreement, funding agreements will be developed by the Accountable Body's Legal Services. The funding agreement will include:

- The agreed overall level of funding for the scheme;
- The agreed funding profile of the scheme across financial years;
- General approval conditions;
- Any scheme-specific conditions;
- Publicity requirements for acknowledgement of CLEP, The Northern Powerhouse and any other relevant funders as appropriate;
- Agreed contract outputs, profiled across financial years.

2.5 Before any funding is released, the scheme promoter will need to agree to the funding and the conditions for its use through the signing of the funding agreement.

- 2.6 Any pre-conditions imposed as part of the investment decision must be satisfactorily resolved before funding is released to the scheme promoter.
- 2.7 The Accountable Body will be responsible for holding and maintaining records of all LEP funding agreements.
- 2.8 Once the funding agreement has been approved, the scheme promoter will be responsible for funding any cost increases from its own resources.
- 2.9 Under exceptional circumstances, if a scheme promoter is unable to meet the cost of any project cost increases, the applicant will be required to submit a change request to CLEP Investment Panel for its consideration.
- 2.10 Any increase in LEP funding required should not take the project over the 75% Cumbria LEP contribution threshold.

3. Monitoring, Evaluation and Payments

- 3.1 CLEP will develop an agreed Monitoring and Evaluation Plan (Appendix P), which cover the activities funded as part of the Growth Programme and outlines reporting timescales and procedures for each individual funding scheme. The Investment Panel will review progress against the Plan and updated performance figures quarterly for onward reporting to the LEP Board.
- 3.2 Quarterly management accounts will identify and forecast the expenditure and amount payable for each individual scheme and the total for the relevant LEP programme. This information will support the development of the CLEP Dashboard which will be submitted to the Department for Business, Enterprise and Industrial Strategy (BEIS), in line with the reporting timetable.
- 3.3 Each project will complete monitoring returns, as directed within the individual funding agreement. This will be at least quarterly with information submitted to CLEP. These will be shared with the Accountable Body.
- 3.4 Project monitoring returns will contain information including, but not limited to:
- Level of project spend and associated evidence of defrayal;
 - Achievement of outputs;
 - Update on risk;
 - Any alterations to output of spend forecast;
 - Forward look to key planned activity during the next reporting period.
- 3.5 The Accountable Body, on behalf of CLEP, will acknowledge receipt of monitoring information, review and verify all monitoring returns and arrange for payment in line with the agreed profile. Confirmation will be provided to the CLEP Executive when payment has been made.
- 3.6 CLEP and the Accountable Body will monitor individual schemes at intervals agreed with the scheme promoter but at least quarterly.
- 3.7 At the end of the funding agreement, all projects will be expected to provide a final report evaluating the performance against the project outcomes. Projects

with an investment level of more than £3million will be expected to provide an evaluation in line with the HMT Magenta Book (March 2020).

3.8 The Investment Panel, as set out in the Terms of Reference will be responsible for reviewing and monitoring programme performance and providing regular updates to the CLEP Board, which set out as a minimum key achievements, risks and performance against the agreed programme outputs and financial profile.

3.9 At the end of each funding programme, CLEP will undertake an evaluation of the effectiveness and impact of the programme in line with the HM Treasury Magenta Book (March 2020).

3.10 This evaluation will be presented to the Investment Panel and CLEP Board and will be made available on the CLEP website.

3.11 The CLEP Board and Executive will utilise the findings of the evaluation to aid the design and implementation of future funding programmes.

4. Scheme Changes

4.1 Cumbria LEP's Growth Programmes will need to be managed effectively to ensure the devolved budget delivers both CLEP's strategic growth priorities as well as value for money.

4.2 CLEP will put in place a transparent methodology to actively manage the devolved budget to respond to changed circumstances including scheme slippage as well as to changes in scheme scope and/or costs.

4.3 Project sponsors will be required to formally notify CLEP and the Accountable Body of any changes to a scheme immediately either through the agreed reporting regime or separately if timescales do not align. This will constitute the start of a Change Control process.

4.4 CLEP will consider if any notified scheme variation represents a material change to the project. A material change would include, but is not limited to;

- Variation to delivery timescales – where delivery is likely to move into a different financial year;
- Variation to funding package – either reduction in match funding which could affect the viability of a scheme or an increase in funding available which could reduce the need to CLEP investment at the originally agreed level;
- Variation to project outputs – forecast reduction in project outputs within the lifetime of the funding agreement;
- Variation to project scope or scale – where key elements of the project may no longer be deliverable or may be delivered at a reduced scale.

4.5 Where a material change is proposed, a formal Change Control will be considered by the Investment Panel. The Panel will need to consider if delivery of the proposed changes would mean that;

- The project still fits strategically with the objectives of both CLEP and where relevant the individual funding scheme;
- The project will still deliver acceptable value for money;
- The project is still allowable within the agreed State Aid regulations;
- The project still contributes to key CLEP required outputs;
- If the project can be delivered effectively within the required timescales;
- If the proposed changes raise the risk to delivery/achievement of outputs to an unacceptable level.

4.6 The Investment Panel can make decisions to alter investment decisions within the agreed tolerances as identified below:

Change to investment decision	Authorisation
Up to 10% and/or a maximum value of £250k and no material change	CLEP Chief Executive or Head of Programmes Team
Up to 20% and/or maximum value of £500k and no material change	Change control - CLEP Chief Executive and Accountable Body - Senior Manager and LEP IP Chair
Over 20% and/or over £500k and/or a material change to the project	Change Control, CLEP Investment Panel or CLEP Board

4.7 If the Investment Panel agrees to support the proposed Change Control, any subsequent necessary amendments will be made to the funding agreement by the Accountable Body.

4.8 The Change Control will be submitted to the Accountable Body who will acknowledge receipt to the CLEP Executive. The Accountable Body will provide written confirmation to the CLEP Executive that the agreed Change Control has been enacted.

4.9 Any revisions to outputs, contract conditions or any other changes deemed significant by CLEP must be managed and agreed through the Change Control procedure.

5. Risk Management

5.1 Risk is taken very seriously by CLEP and in advance of implementing risk management CLEP focuses on risk prevention, by ensuring that the potential for contravention of any decision-making processes are minimised. The CLEP Board and Investment Panel have therefore completed Declarations of Interest, training in the Code of Conduct and Conflict of Interest policy, comprehensive review and consideration of the Local Assurance Framework and confirmed their understanding of their personal responsibilities for upholding these. Additionally, prior to any decision being reached the Chair of the CLEP Board and the Investment Panel confirm that the meeting is quorate.

5.2 The CLEP Executive is responsible for developing and maintaining a Growth Programme Risk Register incorporating information derived from all projects in receipt of Cumbria LEP funding. The Risk Register will be owned and monitored by the Investment Panel.

5.3 Each project will develop and maintain an individual risk register and plan. This will be reviewed as part of ongoing project monitoring. Each project is required to highlight to CLEP at the earliest opportunity any significant risks to successful delivery of a scheme.

5.4 Each project shall receive a traffic light categorisation based on information provided within monitoring returns, visits and/or other information that might arise at any time which has an impact on project delivery.

5.5 Risks will be reported to the Investment Panel at each meeting and at least quarterly. The Investment Panel will be responsible for scrutinising the approach of the CLEP Executive to managing risk at both project and programme level.

5.6 The Investment Panel will report by exception risks to the CLEP Board, advising of any remedial action required and of any impact on CLEP programme delivery or other relevant impacts.

5.7 Within CLEP, the Chief Executive is the officer with responsibility for the identification and management of risk.

6. Recovery of Funding

6.1 CLEP and the Accountable Body through regular project monitoring will be in a position to identify where projects are likely to:

- Underspend
- Underperform
- Demonstrate non-compliance with the conditions of funding

6.2 Such concerns will be reported at the earliest possible stage to the Investment Panel and where appropriate escalated to the CLEP Board through reporting against the Risk Register.

6.3 Where mitigation measures fail and a project is likely to underspend, underperform or demonstrates non-compliance, an individual report will be considered by the Investment Panel. Reports will include as a minimum:

- Project summary;
- Detail on the overall performance of the project to date;
- Description of the nature of the underperformance (financial, output or non-compliance);
- The level of funding at risk;
- A legal opinion setting out the legal basis for recovery of funding and the likelihood of success;
- A recommendation from the CLEP Executive on the proposed course of action.

6.4 In exceptional circumstances, the CLEP Investment Panel may need to take a decision as to whether it is able to recover some or all funding from a project. In each circumstance the Accountable Body will provide a report to the Investment Panel seeking agreement for a proposed course of action.

6.5 The CLEP Executive will work with the Accountable Body to commence the necessary procedures to recover the agreed level of funding. Regular reports will be submitted to the Investment Panel to detail progress.

6.6 The outcomes of all decisions and actions relating to recovery of funding will be reported to the CLEP Board.

7. Audit

7.1 Cumbria LEP will agree, with the Accountable Body, an audit schedule for local audit and scrutiny for the projects within CLEP's funding programmes, to be audited on an annual basis. A copy of the 2021/22 Annual Plan is provided at Appendix V. An annual report will be provided to CLEP's Audit Committee.

7.2 The Local Enterprise Partnership (LEP) Scrutiny Board will have an important role in scrutinising projects supported by CLEP's funding programmes as outlined within its Terms of Reference. CLEP will publish details of scrutiny activity on the CLEP website.

7.3 Each fund will be subject to the individual audit requirements of the funding programme.

7.4 CLEP will comply with all reasonable requests to provide information and documents by any audit and permit entry onto its premises by any auditor, who reasonably requests such access in order to carry out an audit of a CLEP funding programme.

7.5 Cumbria County Council, as Accountable Body, will comply with all reasonable requests to provide information and documents required by any audit and permit entry onto its premises by any auditor who reasonably requests such

access in order to carry out an audit of a CLEP funding programme for, which the County Council acts as Accountable Body.

7.6 As set out in the funding agreement, each project in receipt of CLEP funding will provide annually and at the end of the project, an auditor's review confirming that the project outcomes have been successfully achieved. Where delivery of outputs continues post project completion, this will be identified in the Funding Agreement and will form part of the ongoing Monitoring and Evaluation of the project.

8. Transparency

8.1 Cumbria LEP will publish quarterly performance updates against its Growth Programme on its website www.thecumbrialep.co.uk.

8.2 Papers and minutes of the Investment Panel will be published on the CLEP website. Decisions will be included within the minutes.

8.3 Papers and decisions which are deemed not for publication under the Local Government Publication Act will not be published on the website and the reason for non-publication clearly identified on the appropriate paper.

APPENDIX A – CUMBRIA LEP BOARD AND SUB BOARDS TERMS OF REFERENCE

CLEP BOARD TERMS OF REFERENCE

PURPOSE

The purpose of the CLEP Board is to work collaboratively to deliver economic growth, increase productivity and ensure that an inclusive approach to growth is developed, so that all individuals benefit from this. CLEP will be responsible for developing, delivering and maintaining a Local Industrial Strategy, which delivers on these.

CLEP will focus its activities on:

Strategy: Developing an evidence-based Local industrial strategy that identifies local strengths and challenges, future opportunities and the action needed to boost productivity, earning power and competitiveness across Cumbria.

Allocation of Funds: Identifying and developing investment opportunities; prioritising the award of local growth funding; and monitoring and evaluating the impacts of the activities to improve productivity across Cumbria.

Co-ordination: Using CLEP's convening power to bring together partners from the private, public and third sectors to address economic opportunities and challenges.

Advocacy: Collaborating with a wide-range of local partners to act as an informed and independent voice for the area.

BOARD CONSTITUTION

The CLEP Board is a public/private partnership led by the private sector, which consists of up to 20 members. It will consist of 13 private sector members, one of whom is the Chair. The private sector representatives will represent a cross section of sectors and areas from across Cumbria, however merit will be the overriding factor. The 13 private sector members will be drawn from those sectors most relevant to Cumbria's economy including manufacturing, visitor economy, energy, rural economy and retail. At least one private sector representative will be from an SME and one from a large company. The LEP will also endeavour to secure a representative from a social enterprise. There will be specific private sector seats for both the HE and FE Sectors, which will be filled by nomination. These positions will be appointed for a three-year period in line with other private sector members.

The LEP reserves the right to extend its representation to include up to five co-opted members.

The six public sector representatives will be nominated by their respective organisations. Each of the following public sector bodies will be entitled to nominate one representative:

- a) Cumbria County Council
- b) Lake District National Park Authority
- c) Nuclear Sector

The appointment of the Cumbria County Council representative, whilst it continues to act as the Accountable Body will be a standing appointment. The Lake District National Park Authority will also be a standing member. The nuclear representative will be appointed for a three year period until the sector either re-nominates or a further representative is nominated.

The following public sector bodies will be entitled to nominate one representative to represent partnering authorities. The right to nominate will be rotated between partnering authorities every two years:

- d) Carlisle City and Eden District Councils
- e) Allerdale and Copeland Borough Councils
- f) Barrow Borough and South Lakeland District Councils

The appointment of the District Local Authority representatives shall be overseen by the Cumbria Leaders Board, which will inform the Cumbria LEP of the nominations. District Council members will hold a place for two years, until their place is rotated on a two-year cycle.

The appointment of all public sector representatives shall be noted at the Annual General Meeting of the LEP.

The final place on the Board is by nomination of the Voluntary and Community Sector, as managed by the Cumbria CVS. The private/public sectoral categorisation of the nominee will be determined on appointment.

All nominees from the public and VCSE will undertake the same induction process as private sector Board members and will also have to commit to upholding all policies within the Local Assurance Framework.

CLEP Board is committed to equality and diversity, and is working to achieve equal gender representation by 2023. CLEP is also committed to securing representation from those with protected characteristics.

ROLES

Chair

The primary role of the Chair is to secure good governance by ensuring that the Board is alert to its obligations and honours them. This means ensuring that the Board is effective and it gives the leadership required. The Chair will ensure that there is a balanced structure for the Board and that it spends sufficient time on each of its key tasks to secure the partnerships success.

The Chair's role includes:

- Upholding the highest standards of integrity and probity;

- Ensuring that CLEP and its Board members and officers comply at all times with the Local Assurance Framework;
- Overseeing Board members contribution and standards;
- Reporting to Government, the Local Enterprise Partnership Scrutiny Board and wider stakeholders, including through the Annual General Meeting;
- Promoting effective relationships and open communication both inside and outside of the boardroom;
- Creating a positive, constructive and collaborative atmosphere in Board meetings to promote effective decision-making and constructive debate;
- Leading Board development and ensuring that all members are fully inducted and trained in the requirements of the role;
- Overseeing Board appointments and succession planning arrangements;
- Ensuring that Board agenda and papers are focused on the Board's strategic objectives;
- Ensuring Board decisions are implemented;
- Establishing a close relationship of trust with the LEP support team;
- Managing the LEP Chief Executive to ensure that LEP business is effectively managed;
- Ensuring that the Board and team operate effectively and within their respective mandates;
- Ensuring that the LEP sets an annual budget and that that this is managed effectively, in line with business priorities, and that the accounts are presented to stakeholders at the Annual General Meeting.

Deputy Chair

The Deputy Chair will be a private sector Board member responsible for deputising for the Chair in his absence. This will include Chairing meetings in his absence and picking up any of the roles of the Chair, as required. The Deputy Chair will also be responsible for co-ordinating private sector members and ensuring that there is effective communications across the sector. He or she will also Chair CLEP's Investment Panel.

Vice Chair

The Vice Chair will be the nominated representative of the Accountable Body and will be responsible for proving a conduit from the Board to the public sector partners ensuring that there is a strong line of communication from one to the other. The Vice-Chair will also undertake other deputising duties on behalf of the Chair, as requested by the Chair.

Members

Board Members roles include:

- Complying with the Local Assurance Framework and all of the policies within it;
- Overall management of CLEP, acting collaboratively on behalf of all Members, and considering their interests in everything they do;

- Taking lead responsibility in preparing and delivering an action plan for one of the agreed CLEP priorities (or portfolios). This may involve assembling a team of suitably qualified and experienced individuals from partner organisations with support from CLEP's Executive;
- Updating the Board regularly on any activities that they are completing on behalf of the Board;
- Promoting effective relationships and open communication both inside and outside of the boardroom;
- Supporting the creation of a positive, constructive and collaborative atmosphere in Board meetings to promote effective decision-making and constructive debate;
- Acting as brand ambassadors for CLEP and actively and positively promoting the organisation outside of Board meetings;
- Establishing a close relationship of trust with the LEP support team;
- Implementing Board decisions in line with the collective agreement.

Executive

The CLEP Chief Executive will ensure that the Executive provides the necessary support to the CLEP Board and its Sub-Board bodies. The Chief Executive's responsibilities include, but are not limited to, the following:

- Advising the Board and Sub-Boards in an independent and impartial way on good governance, propriety and compliance
- Providing the independent Secretariat for the LEP;
- Supporting Board members in discharging their LEP duties;
- Providing strategy, policy and delivery advice;
- Supporting the recruitment, appointments and induction process for all governance appointments;
- Benchmarking LEP performance and identifying areas for action, in relation to this;
- Preparing and circulating agendas, papers and minutes of meetings;
- Facilitating engagement with stakeholders, including government, Borderlands and Northern Powerhouse11 (NP11) colleagues and the wider LEP Network;
- Representing, and providing presentations, on behalf of the LEP in external meetings, events and conferences;
- Managing the LEP team and ensuring that the team is deployed in line with business priorities;
- Managing LEP budgets in line with all financial and propriety requirements;
- Ensuring that risk is effectively managed and brought to the attention of the Board;
- Acting as an ambassador for the organisation;
- Managing communications through all appropriate channels.

APPOINTMENTS

Chair's Appointment

The Chair will be recruited by open competition for a three year term of office, using the same process as that for private sector Board members as outlined below. In seeking to appoint the Chair CLEP will consult widely with the private sector through a wide range of communication channels. His/her appointment will be ratified at the Annual General Meeting during the year of his/her appointment. The appointment can be extended for a further three years, subject to the mutual agreement of the Chair and the Board. The Chair's appointment will be for an absolute maximum of six years, unless there is the explicit agreement of BEIS to an extension.

Deputy Chair

A Deputy-Chair will be appointed from the private sector to support the Chair in the delivery of his role and responsibilities. The Deputy-Chair will be selected by the private sector Board members, using a process agreed by the Board at the point at which a new Deputy Chair is to be appointed. The Deputy Chair will serve for a period of three years and can be extended for a further three years, subject to the mutual agreement of the Chair and the Board. The Deputy Chair's appointment will be for an absolute maximum of six years, unless there is the explicit agreement of BEIS to an extension.

The Deputy Chair's term of office will be ratified at the Annual General Meeting during the year of his/her appointment.

Vice Chair

A public sector Vice Chair will be nominated by the Accountable Body. The nomination will be for the term of office of the appointee, who will be an elected member selected by the Accountable Body.

The Vice-Chair's term of office will be ratified at the Annual General Meeting during the year of his/her appointment.

Private Sector Board Appointments

The appointment of new Board members will be wholly on merit. The recruitment process will be fair, open, transparent and widely publicised to ensure that CLEP can draw from the widest possible pool of candidates, in line with our commitment to represent the communities that we serve and aiming to achieve equal representation by 2023 and increase representation from those with protected characteristics.

Stage 1 – Forming an Appointments Panel and Advertising Roles

The appointments process will be instigated by the Board collectively, and overseen by the Chair, who will create an Appointments Panel consisting of him/herself, two private sector Board members and one public sector member; together with a clear timeline for the recruitment process. This Appointments Panel will consider current

gaps in the Board's sectoral knowledge, business typography, demography and develop a job description based on this, which will be widely advertised. Applicants will be invited to submit a CV and covering letter outlining how they meet the requirements of the role, for consideration by the Appointments Panel.

Stage 2 – Shortlisting

The Appointments Panel will be convened to meet and consider all applications, which will be assessed in line with specifically developed assessment criteria to reflect the requirements of the roles, which are being recruited. Shortlisted applicants will be invited to interview. All unsuccessful applicants will be provided with feedback as to why they were not successfully shortlisted on this occasion.

Stage 3 - Final Interviews

The Appointments Panel will be convened to meet and interview all short-listed candidates using a previously prepared interview script, based on the specific requirements of the role (s). The Appointments Panel will recommend which candidates should be appointed and these will be formally agreed with the Board at its next available meeting.

Successful applicants will be advised of their appointment to the Board and invited to a formal induction process, in line with the requirements outlined. All unsuccessful applicants will be provided with feedback as to why they were not successfully appointed on this occasion.

CLEP Executive will support this process ensuring that all aspects are delivered to time and to standard, including promoting the vacancies, preparing sift and interview packs and arranging interviews and formalising inductions.

Term of Office

All private sector Board members will be appointed for a three year term of office. His/her appointment will be ratified at the Annual General Meeting during the year of his/her appointment. The appointment can be extended for a further three years, subject to the mutual agreement of the Chair and the Board. The appointment will be for an absolute maximum of six years, unless there is the explicit approval of BEIS to an extension.

Termination of Membership

Any member wishing to resign from the Board may do so at any time by writing to the Chair who will inform the Board and take steps to put in place the appropriate procedure to select a replacement.

Early Termination of Board Membership

Occasionally, a situation arises when it is appropriate to remove a Board member from the Board. In some cases, a conflict of interest or unethical behaviour may be grounds to remove an individual from the board. In other cases, the behaviour of a board member may become so obstructive that the board is prevented from

functioning effectively. If a board member consistently disrupts meetings, prevents the board from working well or brings it into disrepute, removal may be appropriate.

The following strategies will be used to remove a Board member:

- **Personal Intervention** - one-to-one intervention by the Board Chair. If a Board member fails to behave in accordance with these Terms of Reference, the Chair will meet informally with the board member in question to address the issue(s), including suggesting resignation;
- **Impeachment** - The Board, at its discretion, may remove any member by a two-thirds vote of all members of the Board.

RESPONSIBILITIES

The CLEP Board is responsible for:

- Setting the strategic direction for the inclusive growth, productivity and prosperity of Cumbria through the development and implementation of a Local Industrial Strategy that meets Cumbria's needs and government's expectations of this;
- Providing a voice for Cumbria on strategically important economic issues and acting as an advocate on behalf of Cumbria, its economy, its business and its people;
- Monitoring economic performance on all key indicators including productivity to ensure positive improvements and developing strategies to address any areas of underperformance;
- Approving, monitoring and ensuring implementation of Local Industrial Strategy, restart, reboot, rethink and EU Investment Strategy and other appropriate strategies on behalf of CLEP and its partners;
- Allocating and investing funds over £1million including government funding, in line with strategic growth priorities and the Local Assurance Framework;
- Working in partnership to identify and stimulate investment opportunities in the local area;
- Agreeing the LEP's annual budget, the management of which, shall be delegated to the LEP Chief Executive;
- Agreeing a governance structure that is focused on the key priorities for Cumbria's economy, and agreeing the Chair, Terms of Reference and appointments process for the bodies within this;
- Appointing Task and Finish Groups to deal with specific business issues and agree their Chair and Terms of Reference;
- Appointing representatives to selected outside bodies;
- Approving a Communications Strategy in relation to publicity and disclosure of information including the management and timing of such communications;
- Ensuring that the company operates in line with all legal and regulatory requirements and is compliant with the Local Assurance Framework and Articles of Association;

- Managing organisational risk and ensuring that a risk register is in place and that this is actively monitored and that all Sub-Boards have processes in place to identify and escalate risk.

Lead Board Members

Additionally, Board members will be expected to take a lead responsibility for one of the Sub-Board bodies or for a distinct business priority. The expectation is that no Board member will lead or participate in more than one Sub-Board Body, without the explicit approval of the Chair of CLEP Board.

The Chair will appoint lead Board members in discussion with individual Board members. This will be ratified by the Board at the next available meeting.

The Board will appoint a SME Champion and a Diversity Champion, with the responsible Board members identified on the CLEP website.

MEETINGS

Frequency

Meetings will be held at approximately two month intervals, with additional meetings scheduled, as and when required by business priorities. Additional meetings will be subject to the approval of the Chair. Board meetings will ordinarily take place at 9.30am on a Friday.

Location

CLEP meetings will ordinarily take place at the LEP's offices in Redhills, Penrith CA11 0DT.

Quorate

In order to be quorate nine members need to be present, six from the private sector and three from the public sector. If neither the Chair nor the Deputy Chair is available, the meeting will be declared inquorate and the meeting will be adjourned and re-scheduled.

Agenda and Papers

The agenda and papers for meetings shall be approved by the Chair and issued at least 5 clear working days in advance of the meeting.

The agenda and papers shall be disseminated by the Executive, with the agreement of the Chair. Board members wishing to propose items for the agenda should contact the Executive, 10 clear working days in advance of the meeting.

Minutes of meetings of the Board Minutes of the meeting will focus on actions, rather than provide a record of all discussion points, and shall be approved in draft form by the Chair and disseminated to Board members no later than ten clear working days following the meeting. A draft copy of the minutes will also be placed on the CLEP

website at the same time. These shall remain in draft until approval by the Board at the Board's next meeting. The CLEP Executive will also hold both its own action and decision log to ensure that all actions are captured and monitored; and all decisions formally logged.

Minutes shall be made publicly available on the LEP website no more than five working days following approval by the Board, except for minutes which are not suitable for release into the public domain in accordance with:

Information Not to be Placed in the Public Domain

For the purposes of its business, CLEP considers at its meetings information which is "confidential" or "exempt" under local government legislation. These terms have specific meanings.

"Confidential information" is information which has been provided to CLEP by a government department on terms which forbid the disclosure of the information to the public, or information the disclosure of which to the public is prohibited by or under any legislation or court order. The LEP may receive this information directly or from its Accountable Body under these restrictions. The LEP is not allowed to disclose confidential information to the public.

"Exempt information" is information which is specified in Part 1 of Schedule 12A of the Local Government Act 1972. It includes information relating to an individual, to the financial or business affairs of a particular person (including the LEP and its Accountable Body), negotiations, labour relations, legal professional privilege and in connection with the investigation or prosecution of a crime.

CLEP will apply a public interest test before deciding whether to exempt information from publication.

Process for Meeting Papers

Confidential Information

Where a paper to be considered at a meeting contains confidential information as defined above, the writer must mark the document as Part 1 (Public) or Part 2 (Private) and include the following designation on each copy:

NOT FOR PUBLICATION: THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.

The writer must include in the report an explanation as to why the information is confidential, with reference to the definition set out above.

Exempt Information

Where a paper to be considered at a meeting contains exempt information, the writer will identify the exempt information and consider whether the balance of the public interest is in favour of publication or privacy.

The writer will mark the paper Part 1 (Public) or Part 2 (Private) and include the following designation on each copy:

NOT FOR PUBLICATION by virtue of Paragraph(s) [insert paragraph number] of Part I of Schedule 12A of the Local Government Act 1972, as this report contains exempt information relating to information which [insert grounds].

Example:

NOT FOR PUBLICATION by virtue of Paragraph(s) 2 of Part I of Schedule 12A of the Local Government Act 1972, as this report contains exempt information relating to information which is likely to reveal the identity of an individual.

The writer will include in the report a brief explanation as to why it is in the public interest for the exemption to apply.

The final decision as to whether a report which contains exempt information will be published rests with the Chief Executive of the LEP.

Any paper containing exempt information and considered under Part 2 will be considered in private by the Board and will not be published on CLEP's website.

Decision Making

At Board Meetings

The Board shall operate on the basis of consensus and strive for this in its decision making. However, on occasions when a consensus cannot be achieved, that decision shall be taken by vote and carried if it is supported by over 50% of those present. The Chair will determine as and when to implement a vote.

In the case of a tied vote, the Chair of the meeting shall cast the deciding vote.

Written Procedure

Alternatively, the Chair may decide to seek agreement to a proposal via a written procedure, in electronic form. In such cases, the Executive shall write to each Board member requesting agreement to a specified course of action. Board Members shall be given no fewer than five working days to respond to the Executive. Board members shall be invited to confirm their agreement to the recommendations within the paper. A decision by written procedure will be deemed to be agreed if over 50% of the votes are in favour, in line with CLEP's majority decision-making process. All decisions made by Written Procedure shall be ratified at the next scheduled meeting of the Board.

In Extremis

In very rare circumstances there might be occasion when all Board members who are in attendance at a meeting that is quorate are conflicted. Should this ever happen the Chief Executive is authorised to reach a decision where time is of the essence and this is clearly in the best interests of CLEP, its economy, businesses and people, and when there is clearly no conflict of interest for the Chief Executive. In extremis decisions would only be made with the explicit agreement of the Accountable Body.

ATTENDANCE POLICY

Consistent Attendance

In order to discharge effective decision making and develop collaborative leadership at Board level, good attendance is essential. Board members will be expected to endeavour to attend every Board meeting. Those members, who are unable to attend three consecutive meetings will be invited to review their membership, by the Chair.

Public Sector Alternates

Public sector members may have a named alternate, who may attend in their absence. The alternate must be of suitable seniority and role. Local authority alternatives can only be an elected member to discharge democratic accountability. Alternates attendance should be agreed in advance with the Executive.

Officer Attendance

The LEP Chief Executive, representatives from BEIS, sponsor departments and the Accountable Body, will be able to attend in an advisory capacity as will members of the Executive, who are presenting papers.

CONDUCT CHARTER

This Charter seeks to govern the way in which Members of CLEP conduct themselves and is complimentary to the Code of Conduct and Conflict of Interest Policy. The Charter outlines the principles and standards by which Members are required to abide.

- Members must act honestly, in good faith and in the best interests of CLEP and its partners as a whole.
- Members must uphold the highest ethical standards of integrity and probity.
- Members have a duty to use due care, skill and diligence in the fulfilment of the functions of their office, in exercising all of the powers attached to that office.
- Members must always use the powers attached to being a Member of CLEP for a proper purpose.
- Members owe their duty to the Partnership as Members, not for example, as members of other organisations for example private businesses or public organisations. Consequently, they must not put themselves in a position where their duties and interests are likely to conflict.
- Members should support CLEP's Executive, whilst monitoring their conduct.
- Members must recognise that their primary responsibility is to all the Members of CLEP, but may, where appropriate, have regard to the interests of other stakeholders of CLEP when those interests do not conflict.

- Members must not make improper use of information acquired as a result of being a Member of CLEP.
- Members have an obligation to be independent in judgement and action, and to take all decisions on merit having taken into account all relevant available and taken reasonable steps to be satisfied as to the soundness of all decisions taken by the Board.
- Confidential information received by a Member in the course of the exercise of that Member's duties as a Member remains the property of CLEP. It is improper to disclose it; allow it to be disclosed; unless the disclosure has been authorised by CLEP or is required by law.
- Members shall not engage in conduct that is likely to bring discredit upon CLEP.
- Members have an obligation, at all times, to comply with the spirit, as well as the letter of the law as it relates to their conduct in their role as a Member of CLEP, and with the principles of this Charter.
- Members must ensure that minutes are taken at board meetings (through the CLEP support team).

Duties to Members

- Members shall endeavour to ensure that CLEP is properly managed and constantly improved, so as to protect and enhance the reputation and brand of CLEP in the interests of the Members.
- A Member shall seek to ensure that all Members are treated fairly according to their rights as between each other.
- A Member who is appointed to the Board as a representative of a particular geographical area must recognise the sensitivity of his/her role in relation to the wider Board and other geographical areas. Where obligations to Members in a particular area preclude an independent position on an issue, the Member should disclose the position and consider whether to be absent or refrain from participating in the Board's consideration of that issue. Before taking the decision to be absent however, a Member should consider whether that absence would deprive the Board of essential background or experience. The matter should be disclosed to and resolved by the rest of the Board.

Due Diligence

- Members should attend all Board Meetings but where attendance at Board Meetings is not possible, appropriate steps should be taken to obtain leave of absence and provide a point of contact for information, briefings etc. Inability to attend for more than three consecutive meetings will only be with the explicit consent of the Chair.
- A Member must acquire knowledge about the business of CLEP, the statutory and regulatory requirements affecting Members in the discharge of their duties to CLEP, and be aware of the physical, political and social environment in which it operates.
- In order to be fully effective, a Member shall insist upon access to all relevant information concerning issues to be considered by the Board. This information

should be made available in sufficient time to allow proper consideration of all relevant issues. In the extreme circumstances where information is not provided, Members should make an appropriate protest to the Chair about the failure on the part of CLEP and/or its management to provide the information and if necessary abstain from voting on the particular matter, on the basis that there has not been the time necessary to consider the matter properly. Any abstention, and the reasons for it, should be included in the minutes. It may also be appropriate to vote against the motion, or move for deferment until proper information is available.

- A Member should endeavour to ensure that systems are established within CLEP to provide the Board, on a regular and timely basis, with the necessary data to enable them to make a reasoned judgement on all issues, and so discharge their duties of care and diligence.

Conflicts of Interest

All Board members must comply with CLEP's Code of Conduct and Conflict of Interest policy at all times. This is appended to the Terms of Reference for avoidance of doubt.

Use of Information

- A Member must not make improper use of information acquired by virtue of the Member's position. This prohibition applies irrespective of whether the Member will gain directly or indirectly a personal advantage or an advantage for any associated person (as defined above), or might cause detriment to CLEP.
- Matters such as trade secrets, processes, methods, advertising and promotional programmes, sales and statistics affecting financial results, and matters pertaining to brand and reputation and issues relating to individual Members are particularly sensitive and must not be disclosed.
- Where a Member takes a serious step of resignation on a point of principle, he/she should consider whether the reasons for resignation should be disclosed to Members. In deciding whether or not to make public the reasons for resigning and composing a resignation statement, a Member should have regard to the following:
 - The duty not to disclose confidential information so as to damage CLEP in any way.
 - The duty to act bona fide in the interests of CLEP and its Members.

Access to Documentation

- CLEP's Executive will retain at its principle place of business all papers, documents and other information relating to the affairs of CLEP (whether in hard copy or electronic form) to which the Members are legally entitled to have access as a Member of CLEP. CLEP Executive will retain all such documents for a period of six years.
- CLEP's Executive will promptly allow the Member to inspect and take copies of any papers, documents and other information relating to CLEP's affairs.

After the Member ceases to be a Member, the following rules shall apply in relation to the Member's right of access.

- The right of access continues for six years after the date on which the Member ceases to be a Member of CLEP, but only in relation to papers, documents or other information to which the Member was entitled to have access while a Member of CLEP.
- The right of access is limited to information that the Member reasonably believes may be relevant to a circumstance, claim or proceeding against the Member in the capacity of Member of CLEP.
- CLEP support team will provide access without charge to, and copies of any papers, documents or other information reasonably required by the Member.

ANNUAL GENERAL MEETING

The Annual General Meeting of the LEP will ordinarily be held in September of each year, to allow for the presentation of audited accounts. On issues that require a vote, only CLEP Board members will be entitled to vote.

The AGM will be a public, open meeting, which will be widely advertised in advance, to ensure the widest possible attendance. This will be by editorial, advertorial and social media, plus through all existing networks.

In terms of the ratification of appointments, this will take place in a closed session prior to the start of the open, public Annual General Meeting, given that only CLEP Board members are entitled to vote. This closed session will operate under Part 2 arrangements.

The business at the Annual General Meeting will be:

- Notifying the appointment of the Chairman, during his/her year of appointment or re-appointment;
- Notifying the appointment of a Deputy Chairman from the private sector members of the Board, in the year of his/her appointment or re-appointment;
- Notifying the appointment of a Vice Chairman from the public sector members as selected by the Cumbria Leaders Board in the year of his/her appointment;
- Presenting the annual accounts of the LEP;
- Receiving reports from the Scrutiny Committees;
- Receiving an economic 'state of the nation' outlining progress on delivering KPIs;
- Reviewing CLEP's previous year's performance;
- Receiving a report on the future business priorities;
- Inviting questions from the stakeholders and the public on issues of concern.

REVIEW

These Terms of Reference will be reviewed on an annual basis, or as and when felt appropriate, by the Chair and the Board.

ESIF COMMITTEE TERMS OF REFERENCE

National Standard ToRs

INVESTMENT PANEL TERMS OF REFERENCE

PURPOSE

Cumbria LEP has responsibility for overseeing the delivery of a number of funding and finance programmes. The LEP Board delegate's decision making to the Investment Panel whose purpose is to provide oversight on the successful investment of these funding programmes to further the ambitions of Cumbria LEP's Strategic Economic Plan and emerging Local Industrial Strategy.

The Panel aims to ensure the best use of public funding to support economic development, ensure robust and transparent appraisal processes are adhered to and report on progress to the LEP Board.

ROLE, DUTIES AND RESPONSIBILITIES

The Cumbria LEP Board has overall responsibility for the allocation of funding and for making investment decisions in line with investment guidance.

The functions and delegated powers of the Investment Panel are to:

- Make investment decisions on projects of up to £1,000,000 on behalf of the Cumbria LEP Board on all funding programmes delegated to the Investment Panel by the LEP Board and working within the agreed tolerances authorised by the Board;
- Make changes to investment decisions within the agreed tolerances as identified in the table below:

Change to investment decision	Authorisation
Up to 10% and/or a maximum value of £250k and no material change	CLEP Chief Executive or Head of Programmes Team
Up to 20% and/or maximum value of £500k and no material change	Change control - CLEP Chief Executive and Accountable Body - Senior Manager and LEP IP Chair
Over 20% and/or over £500k and/or a material change to the project	Change Control, CLEP Investment Panel or CLEP Board

- Review investment proposals, taking account of technical appraisals prepared by officers or procured provider;
- Provide guidance and input on the development of a project pipeline;
- Report on the progress of all funding and finance programmes and all delegated decisions to the LEP Board including but not limited to Getting

Building fund, Growth Deal funding, Growing Places Fund, Cumbria Investment Fund and Cumbria Growth Catalyst;

- Assure and support the Board in making evidence based financial decisions;
- Developing, managing and monitoring Growth programme and project risks and ensuring that risks are mitigated or escalated to CLEP Board.

Projects for investment are approved by Cumbria County Council's S151 Officer as meeting the criteria for the delegated funding programmes where Cumbria County Council is the Accountable Body. The Accountable Body is responsible for:

- Administering Funds on behalf of the LEP;
- Reporting to Government on funding spent and outputs achieved, in accordance with the funding conditions;
- Appraising projects, undertaking due diligence checks, entering into funding agreements and managing the financial and contractual obligations.

REPORTING ARRANGEMENTS

The work and recommendations of the Investment Panel will be reported to the Cumbria LEP Board on a bi-monthly basis.

MEETINGS

Frequency

The Investment Panel will meet monthly, unless business needs dictate otherwise. Amendments to the meeting cycle will be agreed by the Chair.

Meeting Papers

The agenda and papers shall be disseminated by the Executive, with the agreement of the Chair. Panel members wishing to propose items for the agenda should contact the Executive. Final papers for Investment Panel discussion shall be made available in accordance with the Local Authorities Access to Information procedures.

Minutes of meetings of the Investment Panel shall be approved in draft form by the Chair and disseminated to Panel members no later than ten clear working days following the meeting. Minutes shall remain in draft until approval by the Investment Panel at the Panel's next meeting.

Minutes shall be made publicly available on the LEP website no more than ten working days after the Panel meeting, except for minutes which are not suitable for release into the public domain in accordance with the exemptions outlined below.

Information not to be placed in the public domain

For the purposes of its business, CLEP considers at its meetings information which is “confidential” or “exempt” under local government legislation. These terms have specific meanings.

“Confidential information” is information which has been provided to CLEP by a government department on terms which forbid the disclosure of the information to the public, or information the disclosure of which to the public is prohibited by or under any legislation or court order. The LEP may receive this information directly or from its Accountable Body under these restrictions. The LEP is not allowed to disclose confidential information to the public.

“Exempt information” is information which is specified in Part 1 of Schedule 12A of the Local Government Act 1972. It includes information relating to an individual, to the financial or business affairs of a particular person (including the LEP and its Accountable Body), negotiations, labour relations, legal professional privilege and in connection with the investigation or prosecution of a crime.

The LEP will apply a public interest test before deciding whether to exempt information from publication.

Process for Meeting Papers

Confidential Information

Where a paper to be considered at a meeting contains confidential information as defined above, the writer must mark the document as Part 1 (Public) or Part 2 (Private) and include the following designation on each copy:

NOT FOR PUBLICATION: THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.

The writer must include in the report an explanation as to why the information is confidential, with reference to the definition set out above.

Exempt Information

Where a paper to be considered at a meeting contains exempt information, the writer will identify the exempt information and consider whether the balance of the public interest is in favour of publication or privacy.

The writer will mark the paper Part 1 (Public) or Part 2 (Private) and include the following designation on each copy:

NOT FOR PUBLICATION by virtue of Paragraph(s) [insert paragraph number] of Part I of Schedule 12A of the Local Government Act 1972, as this report contains exempt information relating to information which [insert grounds].

Example:

NOT FOR PUBLICATION by virtue of Paragraph(s) 2 of Part I of Schedule 12A of the Local Government Act 1972, as this report contains exempt information relating to information which is likely to reveal the identity of an individual.

The writer will include in the report a brief explanation as to why it is in the public interest for the exemption to apply.

The final decision as to whether a report which contains exempt information will be published rests with the Chief Executive of the LEP.

Written Procedures

Occasionally, it may be necessary to seek the views of the Investment Panel on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Decisions will only be taken when the majority (over 50%) of the Investment Panel has confirmed agreement, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Investment Panel.

MEMBERSHIP

Membership of the Panel is:

- Deputy Chair of LEP Board – private sector
- Representative of the Accountable Body
- 2 LEP Board Members – private sector (or their nominated alternate)
- LEP Board Member – public sector (or their nominated alternate)
- District Council Member – public sector
- 2 Private sector representatives drawn from the business community
- 1 representation from the Voluntary and Community Sector
- Other Public Body – public sector

Technical Advisers and Observers to the Panel are:

- CCC S151 Officer
- CLG Monitoring Officer
- BEIS - Assistant Director, Cities and Local Growth Unit

The LEP Executive will service the meeting and therefore be in attendance. Other individuals may attend with the agreement of the Chair.

Appointments

At inception, existing members of the Investment Panel will be invited to migrate to the new body with any gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and voluntary and community sectors.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Investment Panel Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will be the Deputy Chair of the CLEP Board, appointed for a three year period, which may be extended for a further three years with the mutual agreement of CLEP Board Chair and the individual.

QUORUM

To be quorate, attendance is required from the Chair, two additional private sector members and a public sector member. No investment decisions can be made unless the Investment Panel is quorate.

If the Panel is not quorate, the Chair will cancel and re-schedule the meeting. However, if there are urgent items of business the Chair will invoke a written decision procedure whereby members will be asked to formally respond to a written request for their decision. Members must respond with 5 working days of the request being sent. If a member does not respond to the written procedure request within the 5 working days, this will be taken as a positive response to the requested decision.

DECLARATIONS/CONFLICT OF INTEREST

All Investment Panel members must comply with CLEP's Code of Conduct and Conflict of Interest policy at all times. This is appended to the Terms of Reference for avoidance of doubt.

DECISION MAKING

Applications are developed and appraised in accordance with CLEP Assurance Framework. Wherever possible the decisions of the Panel will be by consensus, without the need for a vote. Where this is not possible a vote may be taken if the Chair considers it to be necessary to establish whether a consensus exists. The vote will be by show of hands and the result of the vote recorded in the minutes. Any member may request a formal vote.

In the event of a vote, only bona fide members are entitled to vote (including the Chair). If there is a tied vote the Chair will have the casting vote.

APPEALS

The decision of the Investment Panel is final. There is no appeals process. If a complaint is raised it will be dealt with through the LEP Complaints Policy.

BUSINESS STRATEGY GROUP TERMS OF REFERENCE

PURPOSE

The Business Strategy Group will act as the thematic arm of the Cumbria LEP Board for all business environment related issues, advise on commissioning activity in line with the current and future needs of the Cumbrian economy.

It will ensure that the area improves productivity; retains, develops and grows existing firms; stimulates new company formation; and fosters new external relationships to attract investment; promote exporting activity and ensures that the issues affecting business growth (finance, legislation, sites and premises, skills etc.) are identified and actions taken to address these. It will provide strategic direction to all business-related activity within Cumbria.

ROLES AND RESPONSIBILITIES

The Business Strategy Group will:

Strategy

1. Develop implementation plans to deliver the business elements of the Strategic Economic Plan and emerging Local Industrial Strategy in line with all key deliverables and timelines.
2. Complete periodic reviews of the business elements of the Strategic Economic Plan, emerging Local Industrial Strategy, and other relevant business-related strategies, to ensure that these remain fit for purpose, during the life of these.
3. Support the commissioning of underpinning strategies, as and when necessary, to support the overall delivery of the business environment aspects of the programme.
4. Identify emerging international and national policy, best practice and thematic trends, and ensure that Cumbria actively responds to these.
5. Monitor overall economic performance and identify key emerging issues and proposals to address these.
6. Provide direction and support to the strategic work programmes of the Sector Panels to ensure that best practice is shared and work programmes are delivered in line with expectations.

Investment

7. Make recommendations to the Investment Panel and ESIF Committee on the investment priorities and bidding calls for investment to support business productivity and growth.

8. Support the development of commissioning frameworks and bidding activity for nationally funded business support activity, including the emerging UK Shared Prosperity Fund and provide advice on same to the ESIF Committee in developing Structural Fund commissioning frameworks.

9. Review all business-related public expenditure and ensure that this is deployed in line with Cumbria's priorities.

10. Identify further investment sources and develop proposals to access these.

Delivery and Co-ordination

11. Support the development of an effective and cohesive business infrastructure using national and European investment and commissioning activity as the catalyst to create this.

12. Ensure that a strong pipeline of business projects is in development and where necessary take action to stimulate these.

13. Ensure that the business priorities, outcomes and milestones within the SEP, Local Industrial Strategy and other relevant business environment strategies are delivered in line with expectations.

Advocacy

14. Develop responses to national consultations, Select Committees, APPGs etc. on issues that are relevant to the business environment and identify the opportunities and challenges relevant to Cumbria.

15. Act as ambassadors in championing Cumbria as the place for growth.

Risk

16. Identify key business delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will be a nominee from the CLEP Board. The proposed Chair will be ratified by the LEP Board prior to confirmation of appointment.

The Chair will serve a three-year period of office which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined in Appendix C

The Cumbria LEP Chief Executive and Head of Business and Innovation will also attend meetings in an advisory capacity. The Strategy Group will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed, and that the code of conduct and conflict of interest policies are adhered to at all times. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Strategy Group will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Strategy Group on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Group.

CONDUCT

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Strategy Group.

Conflict of Interest

Although the Strategy Group does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Strategy Group will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Strategy Board will work collaboratively with the other Strategy Boards and Sector Panels to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Business and Innovation Strategy Group is directly accountable to the LEP Board. It will be chaired by the LEP Board Member with lead responsibility for the agenda, or a member of the Strategy Group as agreed by the CLEP Board.

IDEAS AND INNOVATION STRATEGY GROUP TERMS OF REFERENCE

PURPOSE

The Ideas and Innovation Strategy Group will act as the thematic arm of the Cumbria LEP Board for all ideas and innovation related issues and provide advice and recommendations to the LEP Board on future innovation investment in line with the current and future needs of the Cumbrian economy. It will also take the lead in developing and delivering Cumbria's response to the 4 Grand Challenges.

It will ensure that Cumbrian businesses are supported to develop their innovation potential, to invest in new products and processes and to work with both Higher and Further Education alongside the private sector to increase expenditure on Research and Development within Cumbria. It will provide strategic direction to all ideas, innovation and R&D related activity across the County.

ROLES AND RESPONSIBILITIES

The Ideas and innovation Strategy Group will:

Strategy

1. Develop implementation plans to deliver the Ideas elements of the emerging Local Industrial Strategy.
2. Complete periodic reviews of the ideas elements of the Local Industrial Strategy and other relevant ideas, innovation and R&D related strategies, to ensure that these remain fit for purpose, during the life of these.
3. Support the commissioning of underpinning strategies, as and when necessary, to support the overall delivery of the ideas and innovation aspects of the programme.
4. Identify emerging international and national policy, best practice and thematic trends and ensure Cumbria actively responds to these.
5. Provide guidance and input to the development of an ideas and innovation project pipeline.
6. Provide direction and support to the strategic work programme of the Sector Panels to ensure that best practice is shared and work programmes are delivered in line with expectations.

Investment

7. Make recommendations to the Investment Panel and ESIF Committee on investment priorities to support growth in R&D and innovation and economic growth.

8. Support the development of a project pipeline that supports the delivery of the Strategic Economic Plan and emerging Local Industrial Strategy.
9. Identify appropriate investment sources and develop proposals to access these, including existing ESIF resources and emerging UK Shared Prosperity Funding.

Delivery and Co-ordination

10. Work and proactively engage with Government Departments and Agencies, such as Innovate UK to identify, articulate and ensure opportunities for Cumbrian businesses and institutions are promoted.
11. Ensure that a strong pipeline of innovation and R&D projects are in development and, where necessary, take action to stimulate these.
13. Ensure that the innovation and R&D priorities, outcomes and milestones within the SEP, Local Industrial Strategy and other relevant strategies are delivered in line with expectations.

Advocacy

14. Develop responses to national consultations, Select Committees, APPGs etc. on issues that are relevant to innovation and R&D and identify the opportunities and challenges relevant to Cumbria.
15. Act as ambassadors in championing Cumbria as the place for growth.

Risk

16. Identify key relevant delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will be a nominee from the CLEP Board. The proposed Chair will be ratified by the LEP Board prior to confirmation of appointment.

The Chair will serve a three-year period of office which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined at Appendix C.

The Cumbria LEP Chief Executive and Head of Business and innovation will also attend meetings in an advisory capacity. The Strategy Group will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed, and that the code of conduct and conflict of interest policies are adhered to at all times. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Strategy Group will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Strategy Group on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances.

However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Group.

Conduct

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Strategy Group.

Conflict of Interest

Although the Strategy Group does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Strategy Group will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Strategy Board will work collaboratively with the other Strategy Boards and Sector Panels to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Ideas and Innovation Strategy Group is directly accountable to the LEP Board. . It will be chaired by the LEP Board Member with lead responsibility for the agenda, or a member of the Strategy Group as agreed by the CLEP Board.

PEOPLE, EMPLOYMENT AND SKILLS STRATEGY GROUP

TERMS OF REFERENCE

PURPOSE

The People, Employment and Skills Strategy Group will act as the Skills Advisory Panel and the thematic arm of the Cumbria LEP Board for all employment, education and skills related issues and provide advice and recommendations to the LEP Board on future investment in line with the current and future needs of the Cumbrian economy.

It will ensure that education, skills and employment support providers are assisted to tailor provision to the needs of the current and future workforce to support sustainable and inclusive economic growth. It will work with businesses to understand their employment and skills needs and encourage the continued upskilling of individuals to drive productivity and business growth. The Strategy Group will champion inclusive growth ensuring that nobody is left behind and effective measures to tackle worklessness are in place.

ROLES AND RESPONSIBILITIES

The People, Employment and Skills Strategy Group will:

Strategy

1. Fulfil all of the functions of the Skills Advisory Panel ensuring that the expectations and requirements of DfE for SAP's are effectively delivered.
2. Develop implementation plans to deliver the People elements of the emerging Local Industrial Strategy.
3. Complete periodic reviews of the People elements of the Local Industrial Strategy and other relevant education, employment and skills related strategies, to ensure that these remain fit for purpose, during the life of these.
4. Support the commissioning of underpinning strategies, as and when necessary, to support the overall delivery of the People aspects of the programme.
5. Identify emerging international and national policy, best practice and thematic trends and ensure Cumbria actively responds to these.
6. Provide guidance and input to the development of an employment, education and skills project pipeline.
7. Provide direction and support to the strategic work programme of the Sector Panels to ensure that best practice is shared and work programmes are delivered in line with expectations.

Investment

8. Make recommendations to the Investment Panel and ESIF Committee on investment priorities to support skills development and job growth.
9. Support the development of a project pipeline that supports the delivery of the Strategic Economic Plan and emerging Local Industrial Strategy.
10. Identify appropriate investment sources and develop proposals to access these, including existing ESIF resources and emerging UK Shared Prosperity Funding.

Delivery and Co-ordination

11. Work and proactively engage with Government Departments and Agencies to identify and articulate employment, education and skills needs in Cumbria for current and future economic needs.
12. Ensure that a strong pipeline of education, skills and employment projects are in development and where necessary take action to stimulate these.
13. Ensure that the education, skills and employment priorities, outcomes and milestones within the SEP, Local Industrial Strategy and other relevant strategies are delivered in line with expectations.
14. Work proactively with the other Strategy Boards to ensure that employment, education and skills requirements emerging from their activities are identified and appropriate solutions actioned.

Advocacy

15. Develop responses to national consultations, Select Committees, APPGs etc. on issues that are relevant to employment, education and skills and identify the opportunities and challenges relevant to Cumbria.
16. Act as ambassadors in championing Cumbria as the place for growth.

Risk

17. Identify key relevant delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the

member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will be a nominee from the CLEP Board. The proposed Chair will be ratified by the LEP Board prior to confirmation of appointment.

The Chair will serve a three-year period of office which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined at Appendix C.

The Cumbria LEP Chief Executive and Head of Skills will also attend meetings in an advisory capacity. The Strategy Group will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed, and that the code of conduct and conflict of interest policies are adhered to at all times. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Strategy Group will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10 day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Strategy Group on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response.

Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances.

However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Group.

Conduct

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Strategy Group.

Conflict of Interest

Although the Strategy Group does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Strategy Group will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Strategy Board will work collaboratively with the other Strategy Boards and Sector Panels to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The People, Employment and Skills Strategy Group is directly accountable to the LEP Board. It will be chaired by the LEP Board Member with lead responsibility for the agenda, or a member of the Strategy Group as agreed by the CLEP Board.

PLACES STRATEGY GROUP TERMS OF REFERENCE

PURPOSE

The Places Strategy Group will act as the thematic arm of the Cumbria LEP Board for all environment, low carbon, housing and planning related issues advice and provide and recommendations to the LEP Board on future investment in line with the current and future needs of the Cumbrian economy. The Strategy Group will also lead on the Place Marketing agenda and developing the brand concept for promoting Cumbria, as a great place to live, work and invest.

It will ensure that economic development activity is driven within a context of recognising Cumbria's world-renowned environment and with sustainability and the move to reduce carbon emissions embedded within LEP activity. The Strategy Group will work to ensure that new development is based on both areas of economic potential as well as need and that the creation of new homes meets the aspirations contained within the Strategic Economic Plan and the emerging Local Industrial Strategy.

It will be focused on those issues on which the LEP can add value by working collaboratively with all our partners, respecting the sovereignty of existing statutory bodies.

ROLES AND RESPONSIBILITIES

The Places Strategy Group will:

Strategy

1. Develop implementation plans to deliver the Places elements of the emerging Local Industrial Strategy.
2. Oversee the development of the place marketing concept for Cumbria and directing the work of the Place Marketing Task and Finish Group.
3. Complete periodic reviews of the Places elements of the Local Industrial Strategy and other relevant planning, development, housing, energy and place-related strategies, to ensure that these remain fit for purpose, during the life of these.
4. Support the commissioning of underpinning strategies, as and when necessary, to support the overall delivery of the Places aspects of the programme.
5. Identify emerging international and national policy, best practice and thematic trends and ensure Cumbria actively responds to these.
6. Provide guidance and input to the development of a housing, energy and development project pipeline.

7. Provide direction and support to the strategic work programme of the Sector Panels to ensure that best practice is shared and work programmes are delivered in line with expectations.

Investment

8. Make recommendations to the Investment Panel and ESIF Committee on investment priorities to support housing growth, new developments and energy and low carbon opportunities.

9. Support the development of a project pipeline that supports the delivery of the Strategic Economic Plan and emerging Local Industrial Strategy.

10. Identify appropriate investment sources and develop proposals to access these, including existing ESIF resources and emerging UK Shared Prosperity Funding.

Delivery and Co-ordination

11. Work and proactively engage with Government Departments and Agencies to identify and articulate housing, energy and development needs in Cumbria to help achieve economic growth ambitions.

12. Ensure that a strong pipeline of place, housing and energy related projects are in development and where necessary take action to stimulate these.

13. Ensure that the place priorities, outcomes and milestones within the SEP, Local Industrial Strategy and other relevant strategies are delivered in line with expectations.

14. Work proactively with the other Strategy Boards to ensure that housing, development and energy requirements emerging from their activities are identified and appropriate solutions actioned.

Advocacy

15. Develop responses to national consultations, Select Committees, APPGs etc. on issues that are relevant to housing, development, planning and energy and identify the opportunities and challenges relevant to Cumbria.

16. Act as ambassadors in championing Cumbria as the place for growth.

Risk

17. Identify key relevant delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector.

The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will be a nominee from the CLEP Board. The proposed Chair will be ratified by the LEP Board prior to confirmation of appointment.

The Chair will serve a three-year period of office which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined in Annex C of the Local Assurance Framework.

The Cumbria LEP Chief Executive and Head of Programme Management will also attend meetings in an advisory capacity. The Strategy Group will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed, and that the code of conduct and conflict of interest policies are adhered to at all times. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Strategy Group will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Strategy Group on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response.

Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Group.

Conduct

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Strategy Group.

Conflict of Interest

Although the Strategy Group does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Strategy Group will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Strategy Board will work collaboratively with the other Strategy Boards and Sector Panels to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Places Strategy Group is directly accountable to the LEP Board. . It will be chaired by the LEP Board Member with lead responsibility for the agenda, or a member of the Strategy Group, as agreed by the CLEP Board.

TRANSPORT AND INFRASTRUCTURE STRATEGY GROUP

TERMS OF REFERENCE

PURPOSE

The Transport and Infrastructure Strategy Group will act as the thematic arm of the Cumbria LEP Board for all transport and infrastructure related issues and provide advice and recommendations to the LEP Board on future transport and infrastructure investment in line with the current and future needs of the Cumbrian economy.

It will draw upon a robust evidence base to identify Cumbria's key transport and infrastructure priorities and then ensure that they are promoted at a local, regional and national level. It will work proactively with partners locally as well as service providers and representatives from Government Agencies to develop strong lines of communication ensuring emerging infrastructure issues are identified and appropriate actions to address these are delivered as soon as possible.

ROLES AND RESPONSIBILITIES

The Transport and Infrastructure Strategy Group will:

Strategy

1. Develop and maintain the Cumbria LEP Infrastructure Plan and ensure its ongoing alignment with the emerging Local Industrial Strategy, completing periodic reviews of this to ensure that it remains fit for purpose.
2. Support the commissioning of underpinning studies, as and when necessary, to support the overall delivery of the Infrastructure Plan.
3. Identify transport, infrastructure and planning barriers to delivery of the LEP's economic priorities for Cumbria and provide advice and recommendations to the LEP Board on solutions.
4. Provide guidance and input to the development of an infrastructure project pipeline.
5. Work with other LEP Strategy Board's or appropriate external groups to understand transport implications from anticipated and planned development and ensure key plans and strategies are updated to reflect these.

Investment

6. Make recommendations to the LEP Board, Investment Panel and ESIF Committee on investment priorities to support infrastructure improvements and economic growth.

7. Identify infrastructure investment sources and develop proposals to access these.

Delivery and Co-ordination

8. Work and proactively engage with other bodies such as Network Rail, Highways England, and Transport for the North to align transport and infrastructure investment programmes to maximise the benefits for Cumbria.

9. Ensure that the infrastructure priorities, outcomes and milestones within the Infrastructure Plan, Local Industrial Strategy and other relevant infrastructure strategies are progressed.

Advocacy

10. Develop responses to national consultations, Select Committees, APPGs etc. on issues that are relevant to infrastructure and identify the opportunities and challenges relevant to Cumbria.

Risk

11. Identify key infrastructure delivery risks and mitigate these or escalate to the LEP Board or Investment Panel for resolution.

MEMBERSHIP

The membership of the group will comprise:

- Cumbria County Council - Cabinet Member for Highways (Chair)
- CLEP Private Sector Board Member – Infrastructure Lead (Deputy Chair)
- CLEP Public Sector Board Member – Cumbria County Council
- Private Sector Independent Member

Non-voting membership will be comprised of representatives from:

- Transport for the North
- Network Rail
- Highways England
- Environment Agency
- Voluntary and Community Sector

Officers in attendance will include:

- DfT Representative
- CLEP Chief Executive
- CLEP – Head of Infrastructure
- CCC Accountable Body representative
- CCC Infrastructure Lead Officer

Appointments

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public nominees will serve until their period of nomination/appointment ceases.

The Chair will be the nominee of the statutory transport authority, unless the transport authority advises the LEP Chair otherwise. The Strategy Group will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed, and that the code of conduct and conflict of interest policies are adhered to at all times. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a bi-monthly basis. The Chair of the Strategy Group will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Strategy Group on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated

Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Group.

Conduct

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Strategy Group.

Conflict of Interest

Although the Strategy Group does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Strategy Group will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Strategy Board will work collaboratively with the other Strategy Boards and Sector Panels to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Transport and Infrastructure Strategy Group is directly accountable to the LEP Board. The LEP Board Member with lead responsibility for infrastructure is the Deputy Chair, who will report to the LEP Board.

ADVANCED MANUFACTURING SECTOR PANEL TERMS OF REFERENCE

PURPOSE

The Advanced Manufacturing Sector Panel will act as the strategy and co-ordination arm of CLEP Board for all advanced manufacturing sector related issues. Its main purpose will be to ensure that the sector is supported to grow further, faster and deliver increased productivity, jobs, prosperity and inclusive growth for Cumbria. It will also provide a collective voice for the sector and its interests, ensuring that the needs of the sector are understood, communicated to key audiences including Government and develop responses to these.

ROLES AND RESPONSIBILITIES

The Advanced Manufacturing Sector Panel will:

Strategy

1. Develop and deliver an Advanced Manufacturing Sector Growth Strategy identifying the actions that need to be taken to increase productivity and help the sector go further faster, and support the delivery of the overall strategic priorities within the SEP and LIS.
2. Commission underpinning strategy work, as and when necessary, to support the overall growth ambitions of the sector.
3. Identify emerging international and national policy, best practice and thematic trends, and ensure that Cumbria actively responds to these.
4. Monitor overall sectoral performance and identify key emerging issues, in particularly those relating to skills, and develop proposals to address these.
5. Ensure that any emerging trends and issues within the sector are notified to CLEP Board, so that the wider applicability of these can be explored and shared with other Sectoral Boards and wider governance bodies, as appropriate.

Investment

6. Develop proposals to secure increased national and international advanced manufacturing sectoral funding for Cumbria.
7. Ensure that advanced manufacturing sector funding is deployed effectively, by identifying opportunities for the sector to work more collaboratively.

Co-ordination and Delivery

8. Support the development of an effective and cohesive sectoral support infrastructure using national and European investment, using commissioning frameworks to deliver this.
9. Ensure that a strong pipeline of advanced manufacturing projects is in development and, where necessary take action to stimulate these.
10. Ensure that the sectoral priorities, outcomes and milestones within the Advanced Manufacturing Sectoral Growth Plan are delivered in line with expectations.

Advocacy

11. Ensure that the sector has a strong voice nationally and locally by working with all sectoral stakeholders to identify key delivery issues and presenting policy propositions, responses to national consultation exercises, submitting evidence to Select Committee, APPGs etc. to address these.

Risk

12. Identify key sectoral delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will either be a nominee from CLEP Board, or selected from the membership of the Panel, by an open application process.

If inviting a Chair from the membership of the Panel, interested members will be invited to submit a CV and covering letter outlining why they would like to be Chair and what they will bring to the role. Any nominations will be considered by CLEP Chair and Chief Executive, who will review applications and identify suitability for appointment. If there is more than one nominee, candidates will be invited to a short interview to discuss their application. The proposed Chair will be ratified by the LEP Board, prior to confirmation of appointment. The Chair will serve a three-year

period of office, which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined at Appendix C.

The Cumbria LEP Chief Executive and Sector Lead will also attend meetings in an advisory capacity. The Sector Panel will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Sector Panel will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Sector Board on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Board.

CONDUCT

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Group.

Conflict of Interest

Although the Sector Panel does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Sector Panel will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Sector Panel will work collaboratively with the other Sector Panels and Strategy Boards to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Sector Panel is directly accountable to the LEP Board. It will be chaired by a CLEP Board Member or a member of the Sector Panel, as agreed by the CLEP board.

CLEAN ENERGY SECTOR PANEL TERMS OF REFERENCE

PURPOSE

The Clean Energy Sector Panel will act as the strategy and co-ordination arm of the CLEP Board for all Clean Energy sector related issues, largely focused on energy production and lifecycle, rather than the energy efficiency agenda. Its main purpose will be to ensure that the sector is supported to grow further, faster and deliver increased productivity, jobs, prosperity and inclusive growth for Cumbria. It will provide a collective voice for the sector and its interests, ensuring that the needs of the sector are understood, communicated to key audiences including Government and develop responses to these. For clarity, the scope will include similar responsibilities for the nuclear decommissioning agenda and the associated activities delivered in West Cumbria.

ROLES AND RESPONSIBILITIES

The Clean Energy Sector Panel will:

Strategy

1. Develop and deliver a Clean Energy Sector Growth Strategy identifying the actions that need to be taken to increase productivity and support growth of the sector in Cumbria, and support the delivery of the overall strategic priorities within the SEP, LIS and NP11 Energy and Clean Growth Strategy.
2. Commission underpinning strategy work, as and when necessary, to support the overall growth ambitions of the sector.
3. Identify emerging international and national policy, best practice and thematic trends, and ensure that Cumbria actively responds to these.
4. Monitor overall sectoral performance and identify key emerging issues and proposals to address these.
5. Ensure that any emerging trends and issues within the sector are notified to CLEP Board, so that the wider applicability of these can be explored and shared with other Sectoral Boards and wider governance bodies, as appropriate.

Investment

6. Develop proposals to secure increased national and international Clean Energy sectoral funding for Cumbria.
7. Ensure that Clean Energy sector funding is deployed effectively, by identifying opportunities for the sector to work more collaboratively.

Co-ordination and Delivery

8. Support the development of an effective and cohesive sectoral support infrastructure using national and European investment, using commissioning frameworks to deliver this.
9. Ensure that a strong pipeline of Clean Energy sectoral projects is in development and, where necessary take action to stimulate these.

Advocacy

11. Ensure that the sector has a strong voice nationally and locally by working with all sectoral stakeholders to identify key delivery issues and presenting policy propositions, responses to national consultation exercises, submitting evidence to Select Committee, APPGs etc. to address these.

Risk

12. Identify key sectoral delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will either be a nominee from CLEP Board, or selected from the membership of the Panel, by an open application process.

If inviting a Chair from the membership of the Panel, interested members will be invited to submit a CV and covering letter outlining why they would like to be Chair and what they will bring to the role. Any nominations will be considered by CLEP Chair and Chief Executive, who will review applications and identify suitability for appointment. If there is more than one nominee, candidates will be invited to a short interview to discuss their application. The proposed Chair will be ratified by the LEP Board, prior to confirmation of appointment. The Chair will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined at Annex C.

The Sector Panel will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Sector Panel will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Sector Board on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Nil responses will assumed to be agreement to the recommendation within the paper.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances.

However, for non-private sector Panel Members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Sector Panel.

CONDUCT

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Panel.

Conflict of Interest

Although the Sector Panel does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Sector Panel declare these in line with the Declaration of Interest policy.

Delegated Authority

The Sector Panel will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Sector Panel will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Sector Panel will work collaboratively with the other Sector Panels and Strategy Groups to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Sector Panel is directly accountable to the LEP Board. It will be chaired by the LEP Board Member with lead responsibility for the agenda.

CONSTRUCTION SECTOR PANEL TERMS OF REFERENCE

PURPOSE

The Construction Sector Panel will act as the strategy and co-ordination arm of CLEP Board for all construction sector related issues. Its main purpose will be to ensure that the sector is supported to grow further, faster and deliver increased productivity, jobs, prosperity and inclusive growth for Cumbria. It will also provide a collective voice for the sector and its interests, ensuring that the needs of the sector are understood, communicated to key audiences including Government and develop responses to these.

ROLES AND RESPONSIBILITIES

The Construction Sector Panel will:

Strategy

1. Develop and deliver a Construction Sector Growth Strategy identifying the actions that need to be taken to increase productivity and help the sector go further faster, and support the delivery of the overall strategic priorities within the SEP and LIS.
2. Commission underpinning strategy work, as and when necessary, to support the overall growth ambitions of the sector.
3. Identify emerging international and national policy, best practice and thematic trends, and ensure that Cumbria actively responds to these.
4. Monitor overall sectoral performance and identify key emerging issues and proposals to address these.
5. Ensure that any emerging trends and issues within the sector are notified to CLEP Board, so that the wider applicability of these can be explored and shared with other Sectoral Boards and wider governance bodies, as appropriate.

Investment

6. Develop proposals to secure increased national and international construction sectoral funding for Cumbria.
7. Ensure that construction sector funding is deployed effectively, by identifying opportunities for the sector to work more collaboratively.

Co-ordination and Delivery

8. Support the development of an effective and cohesive sectoral support infrastructure using national and European investment, using commissioning frameworks to deliver this.

9. Ensure that a strong pipeline of construction sectoral projects is in development and, where necessary, take action to stimulate these.
10. Ensure that the sectoral priorities, outcomes and milestones within the Construction Sectoral Growth Plan are delivered in line with expectations.

Advocacy

11. Ensure that the sector has a strong voice nationally and locally by working with all sectoral stakeholders to identify key delivery issues and presenting policy propositions, responses to national consultation exercises, submitting evidence to Select Committee, APPGs etc. to address these.

Risk

12. Identify key sectoral delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will either be a nominee from CLEP Board, or selected from the membership of the Panel, by an open application process.

If inviting a Chair from the membership of the Panel, interested members will be invited to submit a CV and covering letter outlining why they would like to be Chair and what they will bring to the role. Any nominations will be considered by CLEP Chair and Chief Executive, who will review applications and identify suitability for appointment. If there is more than one nominee, candidates will be invited to a short interview to discuss their application. The proposed Chair will be ratified by the LEP Board, prior to confirmation of appointment. The Chair will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined at Appendix C.

The Cumbria LEP Chief Executive and Sector Lead will also attend meetings in an advisory capacity. The Sector Panel will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Sector Panel will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Sector Board on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Board.

CONDUCT

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is

consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Group.

Conflict of Interest

Although the Sector Panel does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Sector Panel will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Sector Panel will work collaboratively with the other Sector Panels and Strategy Boards to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Sector Panel is directly accountable to the LEP Board. It will be chaired by the LEP Board Member with lead responsibility for the agenda or a Sector Panel member as agreed by the CLEP Board.

CREATIVE AND CULTURE SECTOR PANEL TERMS OF REFERENCE

PURPOSE

The Creative and Culture Sector Panel will act as the strategy and co-ordination arm of CLEP Board for all creative and culture sector related issues, as defined by the DCMS sectoral definition. Its main purpose will be to ensure that the sector is supported to grow further, faster and deliver increased productivity, jobs, prosperity and inclusive growth for Cumbria. It will also provide a collective voice for the sector and its interests, ensuring that the needs of the sector are understood, communicated to key audiences including Government and develop responses to these.

ROLES AND RESPONSIBILITIES

The Creative and Culture Sector Panel will:

Strategy

1. Develop and deliver a Creative and Culture Sector Growth Strategy identifying the actions that need to be taken to increase productivity and help the sector go further faster, and support the delivery of the overall strategic priorities within the SEP and LIS.
2. Commission underpinning strategy work, as and when necessary, to support the overall growth ambitions of the sector.
3. Identify emerging international and national policy, best practice and thematic trends, and ensure that Cumbria actively responds to these.
4. Monitor overall sectoral performance and identify key emerging issues and proposals to address these.
5. Ensure that any emerging trends and issues within the sector are notified to CLEP Board, so that the wider applicability of these can be explored and shared with other Sectoral Boards and wider governance bodies, as appropriate.

Investment

6. Develop proposals to secure increased national and international creative and culture sectoral funding for Cumbria.
7. Ensure that creative and culture sector funding is deployed effectively, by identifying opportunities for the sector to work more collaboratively.

Co-ordination and Delivery

8. Support the development of an effective and cohesive sectoral support infrastructure using national and European investment, using commissioning frameworks to deliver this.
9. Ensure that a strong pipeline of creative and culture sectoral projects are in development and, where necessary take action to stimulate these.
10. Ensure that the sectoral priorities, outcomes and milestones within the Creative and Culture Sectoral Growth Plan are delivered in line with expectations.

Advocacy

11. Ensure that the sector has a strong voice nationally and locally by working with all sectoral stakeholders to identify key delivery issues and presenting policy propositions, responses to national consultation exercises, submitting evidence to Select Committee, APPGs etc. to address these.

Risk

12. Identify key sectoral delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will either be a nominee from CLEP Board, or selected from the membership of the Panel, by an open application process.

If inviting a Chair from the membership of the Panel, interested members will be invited to submit a CV and covering letter outlining why they would like to be Chair and what they will bring to the role. Any nominations will be considered by CLEP Chair and Chief Executive, who will review applications and identify suitability for appointment. If there is more than one nominee, candidates will be invited to a short interview to discuss their application. The proposed Chair will be ratified by the LEP Board, prior to confirmation of appointment. The Chair will serve a three-year

period of office, which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined at Appendix C.

The Cumbria LEP Chief Executive and Sector Lead will also attend meetings in an advisory capacity. The Sector Panel will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Sector Panel will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Sector Board on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Board.

CONDUCT

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Group.

Conflict of Interest

Although the Sector Panel does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Sector Panel will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Sector Panel will work collaboratively with the other Sector Panels and Strategy Boards to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Sector Panel is directly accountable to the LEP Board. It will be chaired by LEP Board Member with lead responsibility for the agenda or member of the Sector Panel as agreed by the Board.

LOGISTICS SECTOR PANEL TERMS OF REFERENCE

PURPOSE

The Logistics Sector Panel will act as the strategy and co-ordination arm of CLEP Board for all logistics sector related issues. Its main purpose will be to ensure that the sector is supported to grow further, faster and deliver increased productivity, jobs, prosperity and inclusive growth for Cumbria. It will also provide a collective voice for the sector and its interests, ensuring that the needs of the sector are understood, communicated to key audiences including Government and develop responses to these.

ROLES AND RESPONSIBILITIES

The Logistics Sector Panel will:

Strategy

1. Develop and deliver a Logistics Sector Growth Strategy identifying the actions that need to be taken to increase productivity and help the sector go further faster, and support the delivery of the overall strategic priorities within the SEP and LIS.
2. Commission underpinning strategy work, as and when necessary, to support the overall growth ambitions of the sector.
3. Identify emerging international and national policy, best practice and thematic trends, and ensure that Cumbria actively responds to these.
4. Monitor overall sectoral performance and identify key emerging issues and proposals to address these.
5. Ensure that any emerging trends and issues within the sector are notified to CLEP Board, so that the wider applicability of these can be explored and shared with other Sectoral Boards and wider governance bodies, as appropriate.

Investment

6. Develop proposals to secure increased national and international logistics sectoral funding for Cumbria.
7. Ensure that logistics sector funding is deployed effectively, by identifying opportunities for the sector to work more collaboratively.

Co-ordination and Delivery

8. Support the development of an effective and cohesive sectoral support infrastructure using national and European investment, using commissioning frameworks to deliver this.

9. Develop effective relationships with Transport for the North and the transport and Infrastructure Strategy Group ensuring that issues relevant to the industry are shared with these and inform their work programmes.
10. Ensure that a strong pipeline of logistics sectoral projects is in development and, where necessary, take action to stimulate these.
11. Ensure that the sectoral priorities, outcomes and milestones within the Logistics Sectoral Growth Plan are delivered in line with expectations.

Advocacy

12. Ensure that the sector has a strong voice nationally and locally by working with all sectoral stakeholders to identify key delivery issues and presenting policy propositions, responses to national consultation exercises, submitting evidence to Select Committee, APPGs etc. to address these.

Risk

13. Identify key sectoral delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will either be a nominee from CLEP Board, or selected from the membership of the Panel, by an open application process. If inviting a Chair from the membership of the Panel, interested members will be invited to submit a CV and covering letter outlining why they would like to be Chair and what they will bring to the role. Any nominations will be considered by CLEP Chair and Chief Executive, who will review applications and identify suitability for appointment. If there is more than one nominee, candidates will be invited to a short interview to discuss their application. The proposed Chair will be ratified by the LEP Board, prior to confirmation of appointment.

The Chair will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined at Appendix C.

The Cumbria LEP Chief Executive and Sector Lead will also attend meetings in an advisory capacity. The Sector Panel will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Sector Panel will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Sector Board on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Board.

CONDUCT

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Group.

Conflict of Interest

Although the Sector Panel does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Sector Panel will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Sector Panel will work collaboratively with the other Sector Panels and Strategy Boards to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Sector Panel is directly accountable to the LEP Board. It will be chaired by LEP Board Member with lead responsibility for the agenda or a member of the Sector Panel, as agreed by the CLEP Board.

PROFESSIONAL SERVICES SECTOR PANEL

TERMS OF REFERENCE

PURPOSE

The Professional Services Sector Panel will act as the strategy and co-ordination arm of CLEP Board for all professional services sector related issues. Its main purpose will be to ensure that the sector is supported to grow further, faster and deliver increased productivity, jobs, prosperity and inclusive growth for Cumbria. It will also provide a collective voice for the sector and its interests, ensuring that the needs of the sector are understood and communicated to key audiences, including Government, and develop responses to these.

ROLES AND RESPONSIBILITIES

The Professional Services Sector Panel will:

Strategy

1. Develop and deliver a Professional Services Sector Growth Strategy identifying the actions that need to be taken to increase productivity and help the sector go further faster, and support the delivery of the overall strategic priorities within the SEP and LIS.
2. Commission underpinning strategy work, as and when necessary, to support the overall growth ambitions of the sector.
3. Identify emerging international and national policy, best practice and thematic trends, and ensure that Cumbria actively responds to these.
4. Monitor overall sectoral performance and identify key emerging issues and proposals to address these.
5. Ensure that any emerging trends and issues within the sector are notified to CLEP Board, so that the wider applicability of these can be explored and shared with other Sectoral Boards and wider governance bodies, as appropriate.

Investment

6. Develop proposals to secure increased national and international professional services sectoral funding for Cumbria.
7. Ensure that professional services sector funding is deployed effectively, by identifying opportunities for the sector to work more collaboratively.

Co-ordination and Delivery

8. Support the development of an effective and cohesive sectoral support infrastructure using national and European investment, using commissioning frameworks to deliver this.

9. Ensure that a strong pipeline of professional services sectoral projects is in development and, where necessary take action to stimulate these.
10. Ensure that the sectoral priorities, outcomes and milestones within the Professional Services Sectoral Growth Plan are delivered in line with expectations.

Advocacy

11. Ensure that the sector has a strong voice nationally and locally by working with all sectoral stakeholders to identify key delivery issues and presenting policy propositions, responses to national consultation exercises, submitting evidence to Select Committee, APPGs etc. to address these.

Risk

12. Identify key sectoral delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will either be a nominee from CLEP Board, or selected from the membership of the Panel, by an open application process. If inviting a Chair from the membership of the Panel, interested members will be invited to submit a CV and covering letter outlining why they would like to be Chair and what they will bring to the role. Any nominations will be considered by CLEP Chair and Chief Executive, who will review applications and identify suitability for appointment. If there is more than one nominee, candidates will be invited to a short interview to discuss their application. The proposed Chair will be ratified by the LEP Board, prior to confirmation of appointment.

The Chair will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is as outlined at Appendix C.

The Cumbria LEP Chief Executive and Sector Lead will also attend meetings in an advisory capacity. The Sector Panel will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Sector Panel will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Sector Board on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Nil responses will assumed to be agreement to the recommendation within the paper.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Board.

CONDUCT

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working.

Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Group.

Conflict of Interest

Although the Sector Panel does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Sector Panel will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Sector Panel will work collaboratively with the other Sector Panels and Strategy Boards to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Sector Panel is directly accountable to the LEP Board. It will be chaired by the CLEP Board Member with lead responsibility for the agenda, or a Sector Panel member, as agreed by the CLEP Board.

RURAL SECTOR PANEL TERMS OF REFERENCE

PURPOSE

The Rural Sector Panel will act as the strategy and co-ordination arm of CLEP Board for all rural sector related issues. Its main purpose will be to ensure that the sector is supported to grow further, faster and deliver increased productivity, jobs, prosperity and inclusive growth for Cumbria. It will also provide a collective voice for the sector and its interests, ensuring that the needs of the sector are understood, communicated to key audiences including Government and develop responses to these.

ROLES AND RESPONSIBILITIES

The Rural Sector Panel will:

Strategy

1. Develop and deliver a Rural Sector Growth Strategy identifying the actions that need to be taken to increase productivity and help the sector go further faster, and support the delivery of the overall strategic priorities within the SEP and LIS.
2. Commission underpinning strategy work, as and when necessary, to support the overall growth ambitions of the sector.
3. Identify emerging international and national policy, best practice and thematic trends, and ensure that Cumbria actively responds to these.
4. Monitor overall sectoral performance and identify key emerging issues and proposals to address these.
5. Ensure that any emerging trends and issues within the sector are notified to CLEP Board, so that the wider applicability of these can be explored and shared with other Sectoral Boards and wider governance bodies, as appropriate.

Investment

6. Develop proposals to secure increased national and international rural sectoral funding for Cumbria.
7. Ensure that rural sector funding is deployed effectively, by identifying opportunities for the sector to work more collaboratively.

Co-ordination and Delivery

8. Support the development of an effective and cohesive sectoral support infrastructure using national and European investment, using commissioning frameworks to deliver this.

9. Ensure that a strong pipeline of rural sectoral projects is in development and, where necessary take action to stimulate these.
10. Ensure that the sectoral priorities, outcomes and milestones within the Rural Sectoral Growth Plan are delivered in line with expectations.

Advocacy

11. Ensure that the sector has a strong voice nationally and locally by working with all sectoral stakeholders to identify key delivery issues and presenting policy propositions, responses to national consultation exercises, submitting evidence to Select Committee, APPGs etc. to address these.

Risk

12. Identify key sectoral delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will either be a nominee from CLEP Board, or selected from the membership of the Panel, by an open application process. If inviting a Chair from the membership of the Panel, interested members will be invited to submit a CV and covering letter outlining why they would like to be Chair and what they will bring to the role. Any nominations will be considered by CLEP Chair and Chief Executive, who will review applications and identify suitability for appointment. If there is more than one nominee, candidates will be invited to a short interview to discuss their application. The proposed Chair will be ratified by the LEP Board, prior to confirmation of appointment.

The Chair will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is as outlined at Appendix C.

The Cumbria LEP Chief Executive and Sector Lead will also attend meetings in an advisory capacity. The Sector Panel will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Sector Panel will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Sector Board on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Board.

CONDUCT

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is

consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Group.

Conflict of Interest

Although the Sector Panel does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Sector Panel will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Sector Panel will work collaboratively with the other Sector Panels and Strategy Boards to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Sector Panel is directly accountable to the LEP Board. It will be chaired by the CLEP Board Member with lead responsibility for the agenda or a Sector Panel member, as agreed by the Board.

VISITOR ECONOMY SECTOR PANEL TERMS OF REFERENCE

PURPOSE

The Visitor Economy Sector Panel will act as the strategy and co-ordination arm of CLEP Board for all visitor economy sector related issues. Its main purpose will be to ensure that the sector is supported to grow further, faster and deliver increased productivity, jobs, prosperity and inclusive growth for Cumbria. It will also provide a collective voice for the sector and its interests, ensuring that the needs of the sector are understood, communicated to key audiences including Government and develop responses to these.

ROLES AND RESPONSIBILITIES

The Visitor Economy Sector Panel will:

Strategy

1. Develop and deliver a Visitor Economy Sector Growth Strategy identifying the actions that need to be taken to increase productivity and help the sector go further faster, and support the delivery of the overall strategic priorities within the SEP and LIS.
2. Commission underpinning strategy work, as and when necessary, to support the overall growth ambitions of the sector.
3. Identify emerging international and national policy, best practice and thematic trends, and ensure that Cumbria actively responds to these.
4. Monitor overall sectoral performance and identify key emerging issues and proposals to address these.
5. Ensure that any emerging trends and issues within the sector are notified to CLEP Board, so that the wider applicability of these can be explored and shared with other Sectoral Boards and wider governance bodies, as appropriate.

Investment

6. Develop proposals to secure increased national and international visitor economy sectoral funding for Cumbria.
7. Ensure that visitor economy sector funding is deployed effectively, by identifying opportunities for the sector to work more collaboratively.

Co-ordination and Delivery

8. Support the development of an effective and cohesive sectoral support infrastructure using national and European investment, using commissioning frameworks to deliver this.
9. Ensure that a strong pipeline of visitor economy sectoral projects is in development and, where necessary take action to stimulate these.
10. Ensure that the sectoral priorities, outcomes and milestones within the Visitor Economy Sectoral Growth Plan are delivered in line with expectations.

Advocacy

11. Ensure that the sector has a strong voice nationally and locally by working with all sectoral stakeholders to identify key delivery issues and presenting policy propositions, responses to national consultation exercises, submitting evidence to Select Committee, APPGs etc. to address these.

Risk

12. Identify key sectoral delivery risks and mitigate these or escalate to the Investment Panel for resolution.

MEMBERSHIP

Appointment

At inception, members of relevant predecessor bodies will be invited to migrate to the Strategy Group with gaps in membership then being addressed by open recruitment for the private sector and nominations from the public and third sector. The final membership of the Strategy Board will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair and the member. Public and voluntary and community sector nominees will serve until their period of nomination/appointment ceases.

The Chair will either be a nominee from CLEP Board, or selected from the membership of the Panel, by an open application process. If inviting a Chair from the membership of the Panel, interested members will be invited to submit a CV and covering letter outlining why they would like to be Chair and what they will bring to the role. Any nominations will be considered by CLEP Chair and Chief Executive, who will review applications and identify suitability for appointment. If there is more than one nominee, candidates will be invited to a short interview to discuss their application. The proposed Chair will be ratified by the LEP Board, prior to confirmation of appointment.

The Chair will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is outlined at Appendix C.

The Cumbria LEP Chief Executive and Sector Lead will also attend meetings in an advisory capacity. The Sector Panel will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation/sector, whilst ensuring that any potential conflict of interest is effectively managed. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Sector Panel will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Sector Board on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Private sector members are representing themselves and as such Deputies are not allowed. The

exception to this is Cumbria Tourism, given the importance of the Destination Management Organisation to the agenda. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Strategy Board.

CONDUCT

All members will be expected to operate in line with the Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Group.

Conflict of Interest

Although the Sector Panel does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy.

Delegated Authority

The Sector Panel will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Strategy Board will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Sector Panel will work collaboratively with the other Sector Panels and Strategy Boards to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues. This would particularly apply to Creative and Cultural Sector Panel, as there is a high degree of overlap and commonality of interest.

ACCOUNTABILITY

The Sector Panel is directly accountable to the LEP Board. It will be chaired by the CLEP Board Member with lead responsibility for the agenda or a Sector Panel member as agreed by the CLEP Board.

KINGMOOR PARK ENTERPRISE ZONE STRATEGIC PARTNERSHIP GROUP

TERMS OF REFERENCE

PURPOSE

The purpose of the Kingmoor Park Enterprise Zone Strategic Partnership Group is to oversee strategic decision making, provide effective management oversight and the operational delivery of the Kingmoor Park Enterprise Zone. The EZ Strategic Partnership Group will have responsibility for identifying investment priorities and developing any business cases for investment into the Enterprise Zone, utilising the retained business rates achieved by the EZ and making recommendations on these to the LEP Board. The Kingmoor Park Enterprise Zone Strategic Partnership Group replaces the Kingmoor Park Enterprise Delivery Board.

ROLES AND RESPONSIBILITIES

The Kingmoor Park Enterprise Zone Strategic Partnership Group will:

Strategy

1. Develop implementation plans to deliver the Kingmoor Park Enterprise Zone masterplan.
2. Complete periodic reviews of the masterplan to ensure that this remains current and deliverable.
3. Support the commissioning of underpinning strategies, as and when necessary, to support the overall delivery of the Enterprise Zone.
4. Identify best practice in Enterprise Zone delivery and ensure that these are adopted by the Kingmoor Park Enterprise Zone.

Investment

5. Make recommendations to the CLEP Board on investment priorities to support the implementation of the Enterprise Zone.
6. Identify appropriate investment sources and develop proposals to access these, including existing and emerging investment funds.

Delivery and Co-ordination

7. Determine phasing priorities and agree where public funding/ other resources can be used to support private sector investment to accelerate on site delivery and development.
8. Ensure that a strong pipeline of EZ projects is in development and where necessary take action to stimulate these.
9. Implement the communications strategy to ensure that the opportunities within the Enterprise Zone are promoted nationally and internationally and that high-quality material is available to respond to any interest.

10. Ensure that the Enterprise Zone outputs, outcomes and impacts are effectively monitored and mitigation action is taking when these are not on track.
11. Work and proactively engage with Government Departments and Agencies to ensure that the opportunities available within the Enterprise Zone are understood and maximized.

Advocacy

12. Develop responses to national consultations, Select Committees, APPGs etc. on issues that are relevant to the effective operations of Kingmoor Park.
13. Act as ambassadors in championing Kingmoor Park as the place for growth.

Risk

14. Identify key relevant delivery risks and mitigate these or escalate to the CLEP Board for resolution.

MEMBERSHIP

Appointment

Core membership is made up of the four partner organisations that are party to the Memorandum of Understanding. The membership of the Strategic Partnership Group will be ratified by the Board at its next available meeting.

Private sector members will serve a three-year period of office, which may be extended for a further three years, with the mutual agreement of the Chair of the CLEP Board and the individual member. Public sector and Kingmoor Park Director nominees will serve until their period of nomination or appointment ceases.

The Chair will be a nominee from the CLEP Board. In the absence of the Chair the Board will nominate an alternative Chair for the purposes of that meeting and that nominee will have full decision making authority.

The Chair will serve a three-year period of office which may be extended for a further three years, with the mutual agreement of CLEP Board Chair and the member.

Membership

The membership of the Group is as follows:

- LEP – one private sector member, who will be appointed as the Chair of the Strategic Partnership Group by the CLEP Board
- LEP Chief Executive
- Kingmoor Park Ltd Director
- Elected Member- Cumbria County Council
- Elected Member– Carlisle City Council

Member(s) of the CLEP Executive will attend in an advisory and/or Secretariat capacity. DLUHC/ BEIS will also be attendance, as appropriate.

Relevant officers from CLEP, Carlisle City Council and Cumbria County Council will also attend meetings in an advisory capacity. The Strategic Partnership Group will also invite individuals to support their work programme as and when necessary, and with the prior agreement of the Chair.

Members will be expected to represent the views of their organisation whilst ensuring that any potential conflict of interest is effectively managed, and that the code of conduct and conflict of interest policies are adhered to at all times. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a quarterly basis. The Chair of the Strategic Partnership Group will determine whether these need to occur more or less frequently as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the CLEP Executive. Meeting papers will be circulated at least 5 working days in advance of the meeting.

A note of the meeting will be produced by the CLEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Strategic Partnership Group on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. However, for non-private sector Board members a nominated Deputy may attend to ensure continuity of sectoral representation. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Delivery Board.

Conduct

All members will be expected to operate in line with the Local Assurance Framework policies and in a professional, courteous and productive manner and in a way that is

consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair, to consider their ongoing membership of the Delivery Board.

Conflict of Interest

Although the Strategic Partnership Group does not have direct investment decision making responsibilities, it does have significant influence on developing investment proposals and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Strategy Board declare these in line with the Declaration of Interest policy and adheres to CLEP's Code of Conduct and Conflict of Interest policy.

Delegated Authority

The Strategic Partnership Group will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel and the CLEP Board. The Strategic Partnership Group will however have responsibility for identifying investment priorities and developing any business cases for investment into the Enterprise Zone utilising the retained business rates achieved by the EZ.

COLLABORATIVE WORKING

The Kingmoor Park Enterprise Zone Strategic Partnership Group will work collaboratively with CLEP's wider governance structure, particularly the Strategy Boards and Sector Panels to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

ACCOUNTABILITY

The Kingmoor Park Enterprise Zone Strategic Partnership Group is directly accountable to the CLEP Board. It will be chaired by the CLEP Board Member with lead responsibility for the agenda.

LOCAL ENTERPRISE PARTNERSHIP (LEP) SCRUTINY COMMITTEE
TERMS OF REFERENCE
(EXTRACT FROM PART 5C CUMBRIA COUNTY COUNCIL CONSTITUTION)

INTRODUCTION

The Local Enterprise Partnership (LEP) Scrutiny Committee was established by Cumbria County Council on 11 April 2019 and is a committee of the County Council.

FUNCTIONS

To review and scrutinise:

- I. Strategic decisions of the LEP
- II. The LEP's progress and performance in delivery programmes under the management of the LEP
- III. The delivery by the LEP of its strategies.

MEMBERSHIP

Between 11 and 14 members of the County Council including the Chairs and Vice Chairs of the Council's three Scrutiny Advisory Boards and the Chair of the Cumbria Health Scrutiny Committee.

A maximum of six co-opted members, one nominated from each of the six District Councils in Cumbria. Co-opted Members of the LEP Scrutiny Board shall be entitled to speak and vote at meetings of the LEP Scrutiny Board in accordance with a Scheme made by the County Council on 11 April 2019.

There are no substitute members of this committee.

CHAIR AND VICE CHAIR

The Chair and Vice Chair of the Council's Scrutiny Management Board will Chair the Cumbria Local Enterprise Partnership (LEP) Scrutiny Board.

NUMBER OF MEETINGS

There will normally be two ordinary meetings of the LEP Scrutiny Board each year. Extraordinary meetings may be called from time to time.

FUTURES FORUM TERMS OF REFERENCE

PURPOSE

The Futures Forum will provide a voice for younger people in advising and guiding CLEP in its key responsibilities for strategy, investment, co-ordination and advocacy on behalf of Cumbria, its economy, its businesses and its people.

The Forum will reach out to and engage with other young people to secure their views on issues relevant to the work of CLEP to ensure that the views of a wide range of younger people help shape and inform CLEP's activities.

ROLES AND RESPONSIBILITIES

The Futures Forum will:

Strategy

1. Identify strategies priorities for younger people and develop proposals in relation to these.
2. Review and comment on all strategies developed by CLEP, ensuring that these are future proofed and reflect the views, needs and aspirations of younger people.
3. Provide advice on the work programmes produced by Sector Panels and Strategy Groups to ensure that these adequately reflect the needs of younger people.
4. Identify emerging international and national policy, best practice and thematic trends, and ensure that these are flagged to relevant governance bodies.
5. Monitor Cumbria's economic performance and identify key emerging issues and proposals to help address these.
6. Review CLEP Board papers and ensure that comment and feedback is provided on these.

Investment

7. Identify potential investment opportunities and make recommendations to the Executive on these, for onward transmission to the Investment Panel.
8. Identify bidding opportunities that can support Cumbria's economic and business growth and work with the Executive to develop these opportunities.

Co-ordination

9. Develop and implement systems and processes to engage the views of younger people in the development and delivery of CLEP's activities.

Advocacy

10. Develop responses to national consultations, Select Committees, APPGs etc. on issues that are relevant to younger people and identify the opportunities and challenges relevant to Cumbria.

11. Act as brand ambassadors in championing Cumbria as the place to live, work and invest.

Risk

12. Identify key risks and mitigate these or escalate to the Board for resolution.

MEMBERSHIP

Appointment

A recruitment exercise will take place, which will be widely advertised across Cumbria and via a range of communication mechanisms. Appointment will be open to younger people aged 18-35, who either live or work in Cumbria. The final membership of the Forum will be ratified by the Board at its next available meeting.

Members will serve for 18-24 months to ensure that there is a good rotation of membership. Members will be able to extend their appointment for a further period of 18-24 months, providing that they remain eligible for appointment.

The meeting will be Co-Chaired with one female and one male Co-Chair drawn from the membership of the Forum, The Co-Chairs will be selected by the Forum members, via a competitive process. The co-Chairs will each be supported by a Deputy Chair. The proposed Co-Chairs will be ratified by the LEP Board prior to confirmation of appointment.

The Co-Chairs will serve for the period of their appointments.

Membership

The membership of the Group is provided in the Local Assurance Framework and on CLEP's website.

The CLEP Board member acting as Diversity Champion will support the Forum and attend meetings on a regular basis. The Cumbria LEP Chief Executive and Office Manager will also attend meetings in an advisory capacity. The Forum will also invite individuals to support their activities, as and when necessary, and with the prior agreement of the Co-Chairs.

Members will be expected to ensure that any potential conflict of interest is effectively managed, and that the code of conduct and conflict of interest policies

are adhered to at all times. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place every two months, in advance of CLEP board meetings. The Co-Chairs will determine whether additional meetings are required as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least five working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Co-Chairs. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Futures Forum on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of 5 working days for a response. Agreement to the recommendation will require a majority (at least 50%) decision, in line with CLEP's procedures.

Attendance Policy

All members will be expected to attend meetings, other than in exceptional circumstances. Any member failing to attend for three consecutive meetings will be invited to consider their ongoing membership of the Forum.

CONDUCT

All members will be expected to operate in line with the Local Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Co-Chairs, to consider their ongoing membership of the Forum.

Conflict of Interest

Although the Forum does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Forum declare these in line with the Declaration of Interest policy.

Delegated Authority

The Forum will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel. The Forum will however have responsibility for supporting the development of relevant strategies, projects, work programme, etc. and as such will need to adhere to the declaration of interest policy.

COLLABORATIVE WORKING

The Forum will work collaboratively with CLEP's wider governance structure to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

It will also reach out to wider younger people's groups and networks to secure a wide range of views on key issues.

ACCOUNTABILITY

The Forum is directly accountable to the LEP Board.

BUSINESS AND ECONOMY ADVISORY GROUP

TERMS OF REFERENCE

PURPOSE

The Business and Economy Advisory Group will act as an advisory group to provide feedback and comment to the entire Cumbria LEP (CLEP) governance structure, on any aspects of business and the economy that are brought to it for consideration. It will not displace any existing governance bodies but instead add value to these by providing a wider business, public and voluntary and community sector perspective.

ROLES AND RESPONSIBILITIES

The Business and Economy Advisory Group will:

Strategy

1. Provide strategic oversight on the development and implementation of 'Restart, Reboot, Rethink – A Plan for Economic Recovery' ensuring that the key priorities within this are effectively prioritized and delivered.
2. Identify key emerging strategic issues and propose suitable mechanisms to address these issues.
3. Provide feedback and comment on strategies being developed by CLEP, ensuring that these are focused on the key issues and are appropriately resourced to deliver the desired outcomes.
4. Provide feedback and comment on the work programmes produced by Sector Panels and Strategy Groups for consideration to ensure that these adequately reflect the needs of Cumbria, its economy, its businesses and its people.
5. Identify emerging international and national policy, best practice and thematic trends, and ensure that these are flagged to relevant governance bodies.
6. Monitor Cumbria's economic performance, identify key emerging issues and suggest potential ideas to help address these.

Investment

7. Identify potential investment opportunities and make recommendations on how these can be exploited to the CLEP Executive.
8. Identify bidding opportunities that can support Cumbria's economic and business growth and work with the Executive to develop these opportunities.

Co-ordination

9. Develop and implement systems and processes to engage the views of wider networks and agencies to ensure that CLEP is responding to the issues that matter to Cumbria, its economy, businesses and people.
10. Act as a conduit to wider networks to secure feed in to, and feedback from, CLEP on issues related to business and the economy.

Advocacy

11. Develop and comment upon responses to national consultations, Select Committees, APPGs etc. on issues that are relevant to Cumbria's economy, businesses and people.
12. Act as brand ambassadors in championing Cumbria as the place to live, work and invest.

Risk

13. Ensure that all implementation risks in relation to 'Restart, Reboot, Rethink – A Plan for Economic Recovery' are effectively addressed or escalated to the CLEP Board.
14. Identify key risks affecting Cumbria's economy and businesses and ensure that action is taking to address these.

MEMBERSHIP

Appointment

The membership will initially be members transferred over from the Business and Economic Response and Recovery Group (BERRG) as its responsibilities are stood down. Further members will be able to join the Group via a request to the Chair.

Membership of the Advisory Group is on an organisational basis and as such there is no fixed period of appointment.

The Group will be chaired by the Chief Executive of CLEP, in recognition of the advisory nature of the group.

Membership

The membership of the Group is provided in the Local Assurance Framework and on CLEP's website.

Members will be expected to ensure that any potential conflict of interest is effectively managed, with all members required to agree to a Data Sharing Agreement, prior to joining the Group. Members will also need to respect confidentiality and operate in line with CLEP's code of conduct and conflict of interest policies. During the meetings all members will be expected to operate in the best interests of Cumbria, its economy, its businesses and people.

MEETINGS

Frequency

Meetings will take place on a monthly basis. The Chair will determine whether additional meetings are required as business determines.

Meeting Papers

The Secretariat function for the meeting will be undertaken by the LEP Executive. Meeting papers will be circulated at least 3 working days in advance of the meeting.

A note of the meeting will be produced by the LEP Executive. This will record the key points of discussion, decisions made and actions agreed. The note of the meeting will ordinarily be circulated in 10 working days, following agreement by the Chair. There will then be a 10-day response period for members to raise any issues with accuracy or content.

Written Procedures

Occasionally, it may be necessary to seek the views of the Advisory Group on an urgent basis, outside of the ordinary meeting cycle. In these circumstances a paper will be issued, which provides a minimum of five working days for a response.

CONDUCT

All members will be expected to operate in line with the Local Assurance Framework policies and in a professional, courteous and productive manner and in a way that is consistent with building consensus and fostering productive partnership working. Members who do not adhere to these standards will be invited, by the Chair to consider their ongoing membership of the Group.

Conflict of Interest

Although the Advisory Group does not have direct investment decision making responsibilities, it does have influence on strategy and project development and access to privileged information about future investment opportunities. It is therefore essential that any member who may have pecuniary or non-pecuniary benefit from any discussions in the Advisory Group declare these in line with the Declaration of Interest policy.

Delegated Authority

The Advisory Group will not have any delegated financial authority, as project investment decisions are the responsibility of the Investment Panel.

COLLABORATIVE WORKING

The Advisory Group will work collaboratively with CLEP's wider governance structure to ensure that commonality of challenges and opportunities is identified and joint working takes place on shared issues.

It will also reach out to wider groups and networks to secure a wide range of views on key issues.

ACCOUNTABILITY

The Advisory Group is directly accountable to the LEP Board.

APPENDIX B – ARTICLES OF ASSOCIATION

THE COMPANIES ACT 2006
PRIVATE COMPANY LIMITED BY GUARANTEE
ARTICLES OF ASSOCIATION
OF
CUMBRIA LOCAL ENTERPRISE PARTNERSHIP LIMITED

Adopted by special resolution on
29 March 2019

Table of Contents

1.	Interpretation	130
2.	Objects	132
3.	Powers	132
4.	Income	132
5.	Winding up	133
6.	Guarantee	133
7.	Directors' general authority and conduct	133
8.	Directors may delegate	134
9.	Committees	134
10.	Directors to take decisions collectively	135
11.	Directors' meetings	135
12.	Quorum for directors' meetings	135
13.	Chairing of directors meetings and appointment of deputy chair and vice chair	135
14.	Casting vote	136
15.	Directors' conflicts of interest	136
16.	Records of decisions to be kept	136
17.	Directors' discretion to make further rules	136
18.	Number of directors	136
19.	Appointment of directors	137
20.	Retirement of Directors	137
21.	Disqualification and removal of directors	138
22.	Appointment and removal of alternates	138
23.	Secretary	139
24.	Membership	139
25.	Transfer of membership	139
26.	Annual general meeting	139
27.	Attendance and speaking at general meetings	139
28.	Quorum for general meetings	140
29.	Chairing general meetings	140
30.	Attendance and speaking by non-Members	140
31.	Adjournment	140
32.	Changes to articles	141
33.	Voting: general	141
34.	Errors and disputes	142
35.	Poll votes	142
36.	Content of proxy notices	142
37.	Delivery of proxy notices	143
38.	Amendments to resolutions	143
39.	Means of communication to be used	143
40.	Indemnity and insurance	144
41.	Audit	145

THE COMPANIES ACT 2006
PRIVATE COMPANY LIMITED BY GUARANTEE
ARTICLES OF ASSOCIATION

OF

CUMBRIA LOCAL ENTERPRISE PARTNERSHIP (the "Company")

(Adopted by special resolution passed on 29 March 2019 and as amended by a special resolution dated 7 December 2021)

Interpretation, objects and limitation of liability

1. INTERPRETATION

1.1. In these Articles, unless the context otherwise requires:

Accountable Body: means Cumbria County Council or such other local authority from time to time having responsibility for overseeing the proper administration of financial affairs within the LEP Area when these relate to public funds;

Act: means the Companies Act 2006;

AGM: has the meaning given to it in article 26;

Articles: means the Company's articles of association for the time being in force;

Assurance Framework: means the local assurance framework approved by the Accountable Body and adopted by the Company from time to time in accordance with the requirements of the government's national assurance framework;

Bankruptcy: includes insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;

Business Day: means any day (other than a Saturday, Sunday or public holiday in England) when banks in London are open for business;

Chair: has the meaning given to it in article 13.1;

Conflict: means a situation in which a director has or can have, a direct or indirect interest that conflicts or possibly may conflict, with the interests of the Company;

Director: means a director of the Company and includes any person occupying the position of director, by whatever name called;

Document: includes, unless otherwise specified, any document sent or supplied in electronic form;

Education Sector Director: a vice-chancellor, pro vice-chancellor, principal or person of equivalent seniority in a university or an institution of further or higher education in the LEP Area;

Electronic form: has the meaning given in section 1168 of the Act;

Eligible Director: means a director who would be entitled to vote on the matter at a meeting of directors (but excluding in relation to the authorisation of a Conflict pursuant to Article 15, any director whose vote is not to be counted in respect of the particular matter);

LEP Area: means the area that is coterminous with the County boundary of Cumbria or such other geographical area as is assigned to the Company by government from time to time;

Majority Decision: means a decision supported by more than 50% of the Directors;

Member: means a person whose name is entered in the Register of Members of the Company and **Membership** shall be construed accordingly;

Model Articles: means the model articles for private companies limited by guarantee contained in Schedule 2 of the Companies (Model Articles) Regulations 2008 (SI 2008/3229) as amended prior to the date of adoption of these Articles;

Objects: has the meaning given to it in article 2.1 and **object** shall mean any one of them;

Ordinary resolution: has the meaning given in section 282 of the Act;

Private Sector Director: has the meaning given to it in article 19.1.1;

Public Sector Member: means Cumbria County Council and those other public sector organisations for the time being entitled to appoint Public Sector Directors (by rotation or otherwise) in accordance with the Assurance Framework;

Public Sector Director: has the meaning given to it in article 19.1.2;

Scheme of Delegation: has the meaning given to it in article 7.2;

secretary: means the secretary of the Company and any other person appointed to perform the duties of the secretary of the Company, including a joint, assistant or deputy secretary;

special resolution: has the meaning given in section 283 of the Act;

subsidiary: has the meaning given in section 1159 of the Act;

VCSE Director: an officer, principal or person of equivalent seniority of a social enterprise, voluntary organisation or charity conducting the whole or part of its business within the LEP Area;

writing: means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

- 1.2. Save as otherwise specifically provided in these Articles, words and expressions which have particular meanings in the Act shall have the same meanings in these Articles.
- 1.3. Headings in these Articles are used for convenience only and shall not affect the construction or interpretation of these Articles.
- 1.4. A reference in these Articles to an **article** is a reference to the relevant article of these Articles unless expressly provided otherwise.
- 1.5. Unless expressly provided otherwise, a reference to a statute or statutory provision shall include any subordinate legislation from time to time made under that statute or statutory provision.
- 1.6. Any word following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words preceding those terms.
- 1.7. The Model Articles shall not apply to the Company.

2. OBJECTS

- 2.1. The objects for which the Company is established (**Objects**) are:
 - 2.1.1. to stimulate economic growth, productivity, employment, community development, job creation, inward investment, training and development, and commerce in the LEP Area; and
 - 2.1.2. to promote the LEP Area positively at regional, national, European and international levels on matters affecting its economic development.

3. POWERS

- 3.1. In pursuance of the Objects, the Company has the powers to:
 - 3.1.1. do all such things which in the opinion of the directors are in the best interests of the Company and its Members; and
 - 3.1.2. do all such other lawful things as are incidental or conducive to the pursuit or to the attainment of any of the Objects.

4. INCOME

- 4.1. The income and property of the Company from wherever derived shall be applied solely in promoting the Objects.
- 4.2. No distribution shall be paid or capital otherwise returned to the Members in cash or otherwise. Nothing in these Articles shall prevent any payment in good faith by the Company of:

- 4.2.1. reasonable and proper remuneration to any Member, officer or servant of the Company for any services rendered to the Company;
- 4.2.2. any interest on money lent by any Member or any director at a reasonable and proper rate;
- 4.2.3. reasonable and proper rent for premises demised or let by any Member or director; or
- 4.2.4. reasonable out-of-pocket expenses properly incurred by any director.

5. WINDING UP

On the winding-up or dissolution of the Company, after provision has been made for all its debts and liabilities, any assets or property that remains available to be distributed or paid, shall not be paid or distributed to the Members but shall be transferred to similar bodies or another body with objects similar to those of the Company or as directed by the government department then responsible for local enterprise partnerships.

6. GUARANTEE

- 6.1. The liability of each Member is limited to £1, being the amount that each Member undertakes to contribute to the assets of the Company in the event of its being wound up while he is a Member or within one year after he ceases to be a Member, for
 - 6.1.1. payment of the Company's debts and liabilities contracted before he ceases to be a Member;
 - 6.1.2. payment of the costs, charges and expenses of the winding up; and
 - 6.1.3. adjustment of the rights of the contributories among themselves.

Director: general

7. DIRECTORS' GENERAL AUTHORITY AND CONDUCT

- 7.1. Subject to these articles (including but not limited to this article 7) directors are responsible for the management of the Company's business and may exercise all the powers of the Company accordingly.
- 7.2. Each of the directors shall use their respective rights and powers to procure, so far as they are not prohibited by the law from doing so, that decisions of the Company are carried in accordance with the Assurance Framework and any scheme of delegation for the time being adopted by the Company contained in the Assurance Framework (**Scheme of Delegation**).
- 7.3. In their conduct of the Company's business the directors shall at all times:
 - 7.3.1. conduct themselves in a professionally responsible manner and in line with the general directors' duties set out in sections 171 to 177 of the Act;

- 7.3.2. have due regard to all confidentiality obligations concerning the Company's business;
- 7.3.3. observe the seven principles as set out by The Committee on Standards in Public Life (as amended from time to time); and
- 7.3.4. comply with the provisions of the Assurance Framework.

8. DIRECTORS MAY DELEGATE

8.1. Subject to the Articles:

8.1.1. the board of directors may delegate any of the powers which are conferred on them under the Articles and which are in line with the Assurance Framework:

- i. to such person or committee;
- ii. by such means (including power of attorney);
- iii. to such an extent;
- iv. in relation to such matters or territories; and
- v. on such terms and conditions;

as they think fit.

8.1.2. The board of directors may revoke any delegation in whole or part, or alter its terms and conditions.

9. COMMITTEES

The rules of procedure for all or any committees shall be as set out in the Assurance Framework.

Directors: decision-making

10. DIRECTORS TO TAKE DECISIONS COLLECTIVELY

10.1. Subject to provisions to the contrary in these Articles, or the Assurance Framework, the general rule about decision-making by directors is that any decision of the directors must be a Majority Decision taken in one of the following ways:

10.1.1. at a meeting of the directors; or

10.1.2. by written resolution, copies of which have been signed by a majority of the Eligible Directors or to which a majority of the Eligible Directors have otherwise indicated agreement in writing.

10.2. A decision may not be taken in accordance with article 10.2 if the Eligible Directors purporting to take the decision would not have formed a quorum had the decision taken place in a meeting.

11. DIRECTORS' MEETINGS

- 11.1. Directors' meetings shall take place at approximately two month intervals.
- 11.2. Notwithstanding the provisions of article 11.1 meetings of the directors are called by the Chair, Deputy Chair and Vice Chair by giving not less than five clear working days' notice of the meeting to the directors or by authorising the secretary (if any) to give such notice.
- 11.3. A director who is absent from the UK and who has no registered address in the UK shall not be entitled to notice of the directors' meeting.

12. QUORUM FOR DIRECTORS' MEETINGS

- 12.1. At a meeting of the directors, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.
- 12.2. The quorum for the transaction of business at a meeting of directors is any nine Eligible Directors, which must include six Private Sector Directors and three Public Sector Directors.
- 12.3. If the total number of directors in office for the time being is less than the quorum required, the directors must not take any decision other than a decision to appoint further directors.
- 12.4. If neither the Chair nor the Deputy Chair is available the meeting will be declared inquorate, irrespective of the number of other attendees.

13. CHAIRING OF DIRECTORS MEETINGS AND APPOINTMENT OF DEPUTY CHAIR AND VICE CHAIR

- 13.1. The directors may appoint a Private Sector Director to chair their meetings in accordance with the process set out in the Assurance Framework and the person so appointed for the time being is the **Chair**.
- 13.2. The Private Sector Directors may appoint a Private Sector Director to act as a deputy to the Chair (**Deputy Chair**) in accordance with the process set out in the Assurance Framework for such purposes as the directors may determine.
- 13.3. The Accountable Body has the right for as long as it is the Accountable Body to appoint a representative to act as the Vice Chair in accordance with the process set out in the Assurance Framework (**Vice Chair**). The retirement provisions of article 20 shall not apply to the Vice Chair.
- 13.4. A Chair or Deputy Chair (as applicable) shall be appointed for periods of no more than three years, such appointment ending at the board meeting falling closest to the third anniversary of their appointment (or re-appointment). Unless otherwise determined by special resolution, the Chair or Deputy Chair (as applicable) shall be entitled to put themselves forward for re-election for a further period of three years provided that no Chair or Deputy Chair shall be

able to serve more than six years in their respective role as prescribed in article 20.3.

13.5. Where the Chair puts him or herself forward for re-election, such election shall occur at the board meeting at which their board appointment ends in accordance with article 13.4.

13.6. In the case of the Deputy Chair, they shall be re-elected in accordance with the Assurance Framework or in the absence of such arrangements, as the Private Sector Directors or Public Sector Directors (as applicable) between themselves agree.

14. CASTING VOTE

14.1. If the numbers of votes for and against a proposal at a meeting of directors are equal, the Chair or Deputy Chair has a casting vote.

14.2. But this does not apply in respect of a particular meeting (or part of a meeting) if, in accordance with the Articles, the Chair or Deputy Chair chairing the meeting is not an Eligible Director for the purposes of that meeting (or part of a meeting).

15. DIRECTORS' CONFLICTS OF INTEREST

Without prejudice to the provisions of the Act, the directors must at all times comply with any conflict of interest policy for the time being included in the Assurance Framework in relation to any Conflict.

16. RECORDS OF DECISIONS TO BE KEPT

Where decisions of the directors are taken by electronic means, such decisions shall be recorded by the directors in permanent form, so that they may be read with the naked eye.

17. DIRECTORS' DISCRETION TO MAKE FURTHER RULES

Subject to these articles, the directors may make any rule which they think fit about how they and any committees formed by them take decisions, and about how such rules are to be recorded or communicated to directors.

Directors: numbers and appointment

18. NUMBER OF DIRECTORS

Unless otherwise determined by special resolution, the number of directors shall not be less than fourteen but shall not exceed twenty. The Company should continually aspire to have eighteen directors.

19. APPOINTMENT OF DIRECTORS

- 19.1. Subject to the exception contained within article 19.1.2, a director must be a natural person and must at all times possess the following characteristics (as is applicable) unless otherwise approved by a special resolution of the Members:
- 19.1.1. an owner (in whole or in part), officer, principal, person of equivalent seniority, or retiree of up to five years of a business or commercial undertaking conducting the whole or part of its business within the LEP Area including an Education Sector Director and a VCSE Director (**Private Sector Director**);
 - 19.1.2. a local authority or such other public sector body corporate or nuclear industry public body, a leader or deputy leader, or cabinet member with the portfolio/lead responsibility for economic development within a county, district or borough council or such other person representing the public sector bodies for the time being entitled to appoint directors in accordance with the Assurance Framework (**Public Sector Director**).
- 19.2. Subject to clause 19.3, there shall for the time being be appointed:
- 19.2.1. no fewer than eight Private Sector Directors (to take into account the VCSE Director and which shall at all times include an Education Sector Director); and
 - 19.2.2. no fewer than six Public Sector Directors.
- 19.3. Private Sector Directors shall be appointed in accordance with the open recruitment exercise set out in the Assurance Framework.
- 19.4. Public Sector Directors shall be appointed in accordance with the process set out in the Assurance Framework.
- 19.5. The board of directors shall continually aspire to have such number of Private Sector Directors that when taken together make up not less than two-thirds of the appointments (**Required Proportion**).
- 19.6. Where a Private Sector Director(s) resigns or is removed from office the effect of which is to leave fewer Private Sector Directors than the Required Proportion, the directors shall as soon as is practicable procure the appointment of such number of further Private Sector Directors to ensure that the Required Proportion is met.

20. RETIREMENT OF DIRECTORS

- 20.1. Private Sector Directors shall retire from office from the end of the meeting falling closest third anniversary of their appointment. Subject to articles 20.2 and 20.3, such retiring director shall be eligible for re-election by the Members at the next general meeting.
- 20.2. A retiring director shall, subject to article 20.3, be eligible for re-election for further periods of three years.

- 20.3. Any director, which shall include the Chair or Deputy Chair, who shall have served for a total term of six years shall not be entitled to be re-elected.

21. DISQUALIFICATION AND REMOVAL OF DIRECTORS

- 21.1. A person ceases to be a director as soon as:
- 21.1.1. that person ceases to be a director by virtue of any provision of the Act or these Articles or he becomes prohibited by law from being a director;
 - 21.1.2. that person ceases to have the characteristics (as appropriate) required pursuant to article 19.1;
 - 21.1.3. that person shall for more than six months have been absent without permission of the directors from meetings of directors held during that period and the directors resolve that that person's office be vacated;
 - 21.1.4. a Bankruptcy order is made against that person;
 - 21.1.5. a composition is made with that person's creditors generally in satisfaction of that person's debts;
 - 21.1.6. notification is received by the company from the director that the director is resigning from office, and such resignation has taken effect in accordance with its terms;
 - 21.1.7. two- thirds of the board of directors resolve that the person has failed to conduct themselves in accordance with article 7 and should as a consequence be removed from office; or
 - 21.1.8. in the case of a Public Sector Director who is an individual, they cease for any reason to be an elected member of the relevant local authority or, where the Public Sector Director is an employee of an authority, when that director ceases for any reason to be an employee.
- 21.2. A director upon ceasing to be a director shall at the same time cease to be a Member.

Directors: alternate directors and miscellaneous

22. APPOINTMENT AND REMOVAL OF ALTERNATES

- 22.1. Public Sector Directors (other than an alternate Public Sector Director) may appoint as an alternate any other Public Sector Director who is an elected member, or any other person approved by resolution of the directors, to:
- 22.1.1. exercise that director's powers; and
 - 22.1.2. carry out that director's responsibilities,
- in relation to the taking of decisions by the directors in the absence of the alternate's appointor.

- 22.2. Any appointment or removal of an alternate must be effected by notice in writing to the Company signed by the appointor, or in any other manner approved by the directors.
- 22.3. The notice must:
- 22.3.1. identify the proposed alternate; and
 - 22.3.2. in the case of a notice of appointment, contain a statement signed by the proposed alternate that the proposed alternate is willing to act as the alternate of the director giving the notice.

23. SECRETARY

The directors may appoint any person who is willing to act as the secretary for such term, at such remuneration and upon such conditions as they may think fit and from time to time remove such person and, if the directors so decide, appoint a replacement, in each case by a decision of the directors.

Members: becoming and ceasing to be a Member

24. MEMBERSHIP

- 24.1. Membership of the Company shall be comprised of:
- 24.1.1. all directors save for the Public Sector Directors; and
 - 24.1.2. the Public Sector Members.
- 24.2. A Public Sector Member shall be entitled to appoint a Public Sector Director to act as its representative in accordance with the provisions set out in these Articles and the Assurance Framework.

25. TRANSFER OF MEMBERSHIP

Membership shall not be transferable.

Decision making by Members: general meetings

26. ANNUAL GENERAL MEETING

- 26.1. The Company shall hold an annual general meeting (**AGM**) at least once every calendar year, ordinarily in September of each year to be held within the LEP Area. The AGM shall be separated into two parts.
- 26.2. The first part of the AGM shall include ratifications and appointments. Only Members are eligible to attend, speak and vote in the first part of the AGM as set out in article 27.
- 26.3. The second part of the AGM shall be open to the public and shall involve without limitation the presentation of the annual report and a question and answer session.

27. ATTENDANCE AND SPEAKING AT GENERAL MEETINGS

- 27.1. A Member is able to exercise the right to speak at a general meeting when that person is in a position to communicate to all those attending the meeting, during the meeting, any information or opinions which that person has on the business of the meeting.
- 27.2. A Member is able to exercise the right to vote at a general meeting when:
- 27.2.1. that Member is able to vote, during the meeting, on resolutions put to the vote at the meeting; and
 - 27.2.2. that Member's vote can be taken into account in determining whether or not such resolutions are passed at the same time as the votes of all the other Members attending the meeting.
- 27.3. The directors may make whatever arrangements they consider appropriate to enable those Members attending a general meeting to exercise their rights to speak or vote at it.
- 27.4. In determining attendance at a general meeting, it is immaterial whether any two or more Members attending it are in the same place as each other.

28. QUORUM FOR GENERAL MEETINGS

- 28.1. No business other than the appointment of the chairman of the meeting is to be transacted at a general meeting if the persons attending it do not constitute a quorum.
- 28.2. The quorum for a general meeting is nine Members and of these Members, six must be Private Sector Directors and three must be Public Sector Directors.

29. CHAIRING GENERAL MEETINGS

- 29.1. The Chair or, in his or her absence, the Deputy Chair shall preside as chair of every general meeting.
- 29.2. If neither the Chair nor the Deputy Chair is present within fifteen minutes after the time appointed for holding the meeting and willing to act, the meeting shall be adjourned and reconvened.

30. ATTENDANCE AND SPEAKING BY NON-MEMBERS

The Chair of the meeting may permit other persons who are not Members of the Company to attend and speak at a general meeting and, in the case of an AGM, the Chair of the meeting is obliged to permit such other persons who are not Members of the Company to speak.

31. ADJOURNMENT

- 31.1. If the persons attending a general meeting within half an hour of the time at which the meeting was due to start do not constitute a quorum, or if during a

meeting a quorum ceases to be present, the chair of the meeting must adjourn it.

- 31.2. The chair of the meeting may adjourn a general meeting at which a quorum is present if:
 - 31.2.1. the meeting consents to an adjournment; or
 - 31.2.2. it appears to the chair of the meeting that an adjournment is necessary to protect the safety of any person attending the meeting or ensure that the business of the meeting is conducted in an orderly manner.
- 31.3. The chair of the meeting must adjourn a general meeting if directed to do so by at least 50% of the Members present at the meeting.
- 31.4. When adjourning a general meeting, the chair of the meeting must:
 - 31.4.1. either specify the time and place to which it is adjourned or state that it is to continue at a time and place to be fixed by the directors; and
 - 31.4.2. have regard to any directions as to the time and place of any adjournment which have been given by the meeting.
- 31.5. If the continuation of an adjourned meeting is to take place more than 14 days after it was adjourned, the Company must give at least 7 clear days' notice of it (that is, excluding the day of the adjourned meeting and the day on which the notice is given):
 - 31.5.1. to the same persons to whom notice of the company's general meetings is required to be given; and
 - 31.5.2. containing the same information which such notice is required to contain.
- 31.6. No business may be transacted at an adjourned general meeting which could not properly have been transacted at the meeting if the adjournment had not taken place.

32. CHANGES TO ARTICLES

Any resolution proposed either at a general meeting or by way of the written resolution procedure in accordance with Chapter 2 of Part 13 of the Act to alter the Articles shall require the approval of not less than 80 per cent of Members who are eligible to vote.

Voting at general meetings

33. VOTING: GENERAL

Without prejudice to any other provision of these Articles, a resolution put to the vote of a general meeting must be decided on a show of hands unless a poll is duly demanded in accordance with the Articles.

34. ERRORS AND DISPUTES

- 34.1. No objection may be raised to the qualification of any person voting at a general meeting except at the meeting or adjourned meeting at which the vote objected to is tendered, and every vote not disallowed at the meeting is valid.
- 34.2. Any such objection must be referred to the chair of the meeting whose decision is final.

35. POLL VOTES

- 35.1. A poll on a resolution may be demanded:
 - 35.1.1. in advance of the general meeting where it is to be put to the vote; or
 - 35.1.2. at a general meeting, either before a show of hands on that resolution or immediately after the result of a show of hands on that resolution is declared.
- 35.2. A poll may be demanded by:
 - 35.2.1. the chair of the meeting;
 - 35.2.2. the directors;
 - 35.2.3. two or more persons having the right to vote on the resolution; or
 - 35.2.4. a person or persons representing not less than one tenth of the total voting rights of all the Members having the right to vote on the resolution.
- 35.3. A demand for a poll may be withdrawn if:
 - 35.3.1. the poll has not yet been taken; and
 - 35.3.2. the chair of the meeting consents to the withdrawal.
- 35.4. Polls must be taken immediately and in such manner as the chair of the meeting directs.

36. CONTENT OF PROXY NOTICES

- 36.1. Proxies may only validly be appointed by a notice in writing (a "proxy notice") which:
 - 36.1.1. states the name and address of the Member appointing the proxy;
 - 36.1.2. identifies the person appointed to be that Member's proxy and the general meeting in relation to which that person is appointed;
 - 36.1.3. is signed by or on behalf of the Member appointing the proxy, or is authenticated in such manner as the directors may determine; and

- 36.1.4. is delivered to the company in accordance with the Articles and any instructions contained in the notice of the general meeting to which they relate.
- 36.2. The company may require proxy notices to be delivered in a particular form, and may specify different forms for different purposes.
- 36.3. Unless a proxy notice indicates otherwise, it must be treated as:
 - 36.3.1. allowing the person appointed under it as a proxy discretion as to how to vote on any ancillary or procedural resolutions put to the meeting; and
 - 36.3.2. appointing that person as a proxy in relation to any adjournment of the general meeting to which it relates as well as the meeting itself.

37. DELIVERY OF PROXY NOTICES

- 37.1. A person who is entitled to attend, speak or vote (either on a show of hands or on a poll) at a general meeting remains so entitled in respect of that meeting or any adjournment of it, even though a valid proxy notice has been delivered to the Company by or on behalf of that person.
- 37.2. An appointment under a proxy notice may be revoked by delivering to the Company a notice in writing given by or on behalf of the person by whom or on whose behalf the proxy notice was given.
- 37.3. A notice revoking a proxy appointment only takes effect if it is delivered before the start of the meeting or adjourned meeting to which it relates.
- 37.4. If a proxy notice is not executed by the person appointing the proxy, it must be accompanied by written evidence of the authority of the person who executed it to execute it on the appointor's behalf.

38. AMENDMENTS TO RESOLUTIONS

- 38.1. An ordinary resolution to be proposed at a general meeting may be amended by ordinary resolution if:
 - 38.1.1. notice of the proposed amendment is given to the Company in writing by a person entitled to vote at the general meeting at which it is to be proposed not less than 48 hours before the meeting is to take place (or such later time as the chairman of the meeting may determine); and
 - 38.1.2. the amendment does not go beyond what is necessary to correct a grammatical or other non-substantive error in the resolution.
- 38.2. If the chair of the meeting, acting in good faith, wrongly decides that an amendment to a resolution is out of order, the chair's error does not invalidate the vote on that resolution.

Administrative arrangements

39. MEANS OF COMMUNICATION TO BE USED

- 39.1. Any notice, document or other information shall be deemed served on or delivered to the intended recipient:
- 39.1.1. if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, 48 hours after it was posted (or five Business Days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five Business Days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);
 - 39.1.2. if properly addressed and delivered by hand, when it was given or left at the appropriate address;
 - 39.1.3. if properly addressed and sent or supplied by electronic means, one hour after the document or information was sent or supplied; and
 - 39.1.4. if sent or supplied by means of a website, when the material is first made available on the website or (if later) when the recipient receives (or is deemed to have received) notice of the fact that the material is available on the website.

For the purposes of this article, no account shall be taken of any part of a day that is not a Business Day.

- 39.2. In proving that any notice, document or other information was properly addressed, it shall suffice to show that the notice, document or other information was addressed to an address permitted for the purpose by the Act.

40. INDEMNITY AND INSURANCE

- 40.1. Subject to article 40.2, but without prejudice to any indemnity to which a relevant officer is otherwise entitled:
- 40.1.1. each relevant officer shall be indemnified out of the Company's assets against all costs, charges, losses, expenses and liabilities incurred by him as a relevant officer in the actual or purported execution and/or discharge of his duties, or in relation to them including any liability incurred by him in defending any civil or criminal proceedings, in which judgment is given in his favour or in which he is acquitted or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his part or in connection with any application in which the court grants him, in his capacity as a relevant officer, relief from liability for negligence, default, breach of duty or breach of trust in relation to the Company's (or any associated company's) affairs; and

- 40.1.2. the Company may provide any relevant officer with funds to meet expenditure incurred or to be incurred by him in connection with any proceedings or application referred to in article 40.1.1 and otherwise may take any action to enable any such relevant officer to avoid incurring such expenditure.
- 40.2. This article does not authorise any indemnity to the extent that such indemnity would be prohibited or rendered void by any provision of the Act or by any other provision of law and any such indemnity is limited accordingly.
- 40.3. The directors may decide to purchase and maintain insurance, at the expense of the Company, for the benefit of any relevant officer in respect of any relevant loss.
- 40.4. In this article:
 - 40.4.1. companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate; and
 - 40.4.2. a **relevant loss** means any loss or liability which has been or may be incurred by a relevant officer in connection with that relevant officer's duties or powers in relation to the Company, any associated company or any pension fund or employees' share scheme of the Company or associated company; and
 - 40.4.3. a **relevant officer** means any director or other officer or former director or other officer of the Company, but excluding in each case any person engaged by the Company (or associated company) as auditor (whether or not he is also a director or other officer), to the extent he acts in his capacity as auditor.

41. **AUDIT**

The Company shall procure that an independent auditor is appointed and that the annual accounts of the Company are audited. The audited accounts must be prepared in accordance with the laws applicable in and the accounting standards, principles and practices generally accepted in the United Kingdom.

APPENDIX C - LEP COMMITTEE MEMBERSHIP

Cumbria Local Enterprise Partnership Board

Lord Inglewood, Chair
Steve Cole, Deputy Chair/BAE Systems Marine Ltd
Stewart Young, Vice Chair/Cumbria County Council
Robin Ashcroft, South Lakeland District Council
Graham Booth, EH Booth and Co Ltd
Stephen Cole, BAE Systems Marine Ltd
John Coughlan, TSP Engineering
Dr Steve Curl, Private Equity Specialist
Tiffany Hunt MBE, Lake District National Park Authority
Mike Johnson, Allerdale Borough council
Prof. Julie Mennell, University of Cumbria
John Mallinson, Carlisle City Council
Des Moore, Cumberland Building Society
Emma Porter, Story Contracting
Lorraine Smyth, ACTion with Communities in Cumbria
Sarah Swindley, Lake District Foundation
Janett Walker, Anti-Racist Cumbria
Rebecca Weston, Sellafield Ltd
Nigel Wilkinson, Windermere Lake Cruises Ltd
Andrew Wren, Furness College

Investment Panel

Steve Cole, Chair/ BAE Systems Marine Ltd
Keith Ashcroft, Environment Agency
Steve Curl, Private Equity Specialist
Alison Hatcher, Cumbria County Council
Peter Hensman, Lake District Estates
Simon Sjenitzer, WYG Ltd
David Southward, Cumbria County Council
Mike Starkie, Copeland Borough Council
Chris Watson, International Nuclear Services

Business Strategy Group

Martin Allman, Cumbria County Council
Paul Armstrong, University of Cumbria
Sue Barnard, British Business Bank
Emily Bond, Futures Forum / Eden District Council
Mark Bowen, Lancaster University
Suzanne Caldwell, Cumbria Chamber of Commerce
Anne Campion, The Growth Company
Carolyn Dodwell, Chair
Eleanor Farrell, Cumbria County Council
Paul Foster, Federation of Small Businesses
John Grainger, Britain's Energy Coast Business Cluster
Gill Haigh, Cumbria Tourism
David Hall, National Farmers Union
Andrea Hines, Allerdale Borough Council
Phil Holifield, University of Central Lancashire
Sue Howarth, Family Business Network
Richard Jeffery, The Growth Company
Grahame Latus, Enterprise Answers
Barry Leahey, Playdale Playgrounds
Garry Legg, Carlisle City Council
Gary Lovatt, Federation of Small Businesses
Alistair Mackintosh, NFU
Steve Smith, Copeland Borough Council
Tiffany Solender, Department for International Trade
Mike Starkie, Copeland Borough Council
Karl Susol, Department for International Trade
Charles Watt, CW Consultancy
Alistair Westwood, CBI
Stewart Wren, Capita

Ideas and Innovation Strategy Group

Frank Allison, Innovation 2 Commercialisation (I2C) Ltd.
Andy Buchan, Consultant
Gareth Candlin, South Lakeland District Council
Jeff Chambers, Consultant
Andrew Cooney, Sellafield Ltd
Adrienne Easterboork, Energus
Sami Falou, BEIS
Chris Ford, University of Lancaster

Daniel Heery, 5GRIT/Cybermoor
Andrea Hines, Allerdale Borough Council
Rick Holland, Innovate UK
John Hodgson, Consultant
Helen Houston, Barrow Borough Council
Stuart MacLennan, Circular 1
Matt Mellor, Createc
Amaya Munoz, University of Manchester
Caroline Redhead, Burnetts Solicitors
Ken Royall, The Lakes Currency Project
Matt Simpson, Typhon Treatment
Caroline Waters, Balfour Beatty
Andy Wicks, NHS
Adam Vaughan, The Idol

People, Employment and Skills Strategy Group

Mark Bowman, Inspira
Chris Dempsey, Cumbria County Council
Victoria Dixon, Education and Skills Funding Agency
Sarah Glass, Centre for Leadership Performance
Grant Glendinning, Carlisle College
David Gregson, Lancaster University
Andrea Hines, Allerdale Borough Council
Heather Murray, Department of Work and Pensions
Tony Higgins, SP Logistics Training
Jonathan Johnson, West Lakes Academy
Jane Meek, Carlisle City Council
Sarah Mitchell, Copeland Borough Council
Chris Nattress, Lakes College
Judith Shafer, Beacon Hill School
Leily Sharif, G4S Welfare to Work
Mike Smith, Northern Skills Alliance
Dan Barton, Cumbria County Council
Les Studholme, Sellafield Ltd
Janet Garner, BAE Systems
Naomi Hollows, BEIS
Amanda Towers, City and Guilds (GEN2)
Robert Trimble, University of Cumbria

Places Strategy Group

Tazeem Abbas, The Tranquil Otter
Peter Allen, Chair / LDNPA
Sarah Mitchell, Copeland Borough Council
Phil Davis, Cumbria Action for Sustainability
Matt Williams, South Lakeland District Council
Angela Jones, Cumbria County Council
Kevin Kerrigan, Allerdale Borough Council
Alison Hatcher, Cumbria County Council
Hannah Latty, Lake District National Park
Jane Meek, Carlisle City Council
Sam Plum, Barrow Borough Council
Cath Purdy, South Lakes Housing
Steve Robinson, Carlisle City Council
Oliver Shimell, Eden District Council

Transport and Infrastructure Strategy Group

Chris Connelly, Direct Rail Services Ltd
Matt Cope, Avanti
Steve Curl, Private Equity Specialist
Jason Graham, Network Rail
Alison Hatcher, Cumbria County Council
John Hope, Highways England
Lucy Hudson, Transport for the North
David Hughes, Cumbria LEP
Jo Lappin, Cumbria LEP
Keith Little, Chair / Cumbria County Council
Stewart Mounsey, Environment Agency
Nicola Parker, Cumbria County Council
Richard Perry, Department for Transport
Owain Roberts, Northern Trains Ltd
Stewart Young, Cumbria County Council

Advanced Manufacturing Sector Panel

Paul Ashley, Clark Door
Mark Brook, James Walker
John Coughlan, Chair / TSP Engineering
Kate Dixon, University of Cumbria
Jonathan Hardisty, Siemens

Nik Hardy, Allerdale Borough Council
Michael Heaney, Pladis Global
Philip Jardine, Nuclear Advanced Manufacturing Research Centre
Jonny Lowe, Innovia
Ross McMahon, Kendal Nutricare
Jonathan Miller, Tornado Wire
Jayne Moorby, Oxley Group
David Moore, Copeland Borough Council
Andy Okolowicz, New Balance
Alan Otway, Marl International
Chintan Patel, GSK
Adrian Rawlinson, Marl International
Paul Storey, Gen2
Dave Watson, James Cropper PLC
Adam Wellings, Ast Signs
Matt Williams, South Lakeland District Council
Alan Wilson, Pirelli

Clean Energy Sector Panel

Lexie Barton, Futures Forum / Lake District Estates
Sian Beaty, High Moorside Consulting Ltd
Tiffanie Blair, Futures Forum / CCL Soutions
Kate Dixon, University of Cumbria
Adrienne Easterbrook, Enerqus
Paul Fletcher, Jacobs
Richard Griffin, Allerdale Borough Council
Daniel Hamilton, Futures Forum/ Cumbria County Council
Alison Hatcher, Cumbria County Council
Sophie Hodge, Futures Forum / Diocese of Carlisle
Paul Howarth, National Nuclear Laboratory
Francis Livens, The Dalton Institute, University of Manchester
Stuart MacLennan, Circular 1
David Musco, Musco Consulting
Sally Shenton, Generating Better
Gary Shuttleworth, Morgan Sindall
David Southward, Cumbria County Council
Emma Toulson, Orsted
Martin Walkingshaw, Low Level Waste Repository Ltd
Rob Ward, Copeland Borough Council
Rebecca Weston, Chair/Sellafield Ltd

Construction Sector Panel

Dee Addison , LLED Construction
Adrian Ash, Waitings Ltd
Darren Brown, Cumbrian Roofing Solutions
Stuart Conway, Ashtead Plant Hire Company Ltd
Monica Costelloe, CITB
Tommy Cubby, Cubby Construction
Kate Dixon, University of Cumbria
Nicky Gordon, Genesis Homes
Paul Graham, Top Notch Contractors
Stephen Hall, Cumbria County Council
Paul Hardon, Morgan Sindall
Nick Hayhurst, Copeland Borough Council
Greig Hill, Roland Hill
Tony Metcalfe, Metcalfe Plant Hire
Emma Porter, Chair / Story Contracting
Chetna Reay, Construction Risk Consultants
Allen Sharpe, Coombe and Sharpe
Chris Snow, Eric Wright
Mark Steele, Thomas Armstrong
Adrian Stubbs, Hanson Contracting
Tracy Todd, All Together Cumbria
Ryan Wilkie, Futures Forum / CCL Solutions
Ian Wishart, RHI Construction
David Wright, Gleeson Homes

Creative and Cultural Sector Panel

Jane Beardsworth, Arts Council England
Matt Burke, Kendal College
Colette Conroy, University of Cumbria
Chris Hogg, Cumbria County Council
James Cobbold, Theatre by the Lake
Catherine Coulthard, Prism Arts
Darren Crossley, Carlisle City Council
Richard Elder, Rosehill Theatre
Richard Foster, Arts and Culture Network / LICAF
Colin Glover, Chair / Carlisle City Council / Cumbria's Museum of Military Life
Rhian Harris, Lakeland Arts
Dawn Hurton, Cumbria County Council
Tracey Ingham, Cumbria County Council

Lou Kneath, +3K Animations Ltd
Elizabeth Kwasnik, Beacon Museum
Adrian Lochhead, Eden Arts
Michael McGregor, Wordsworth Trust
Andrew McKay, Tullie House Museum and Gallery
Liz Moss, Lakeland Arts
Maddi Nicholson, Art Gene
Miriam Randall, Brewery Arts Centre
Jacqui Scott, Kendal Mountain Festival
Tom Speight, BBC/Rural Touring Network
Rebecca Stamper, Allerdale Borough Council
Nick Turner, Intro
Imelda Winters Lewis, South Lakeland District Council
Amanda Yellowley, Eden District Council

Logistics Sector Panel

Robin Brown, SP Logistics Training
Chris Clouter, AB Ports
Tony Higgins, SP Logistics Training
Chris Hoban, Copeland Borough Council
Jeremy Lihou, Port of Workington
Celia MacKenzie, Whitehaven Harbour Commissioners
Anthony Markley, Cumbria County Council
Helen Parkhill, Butterworths Solicitors
Neil Robinson, Chair / Tyson H Burridge Ltd
Karen Stalker, Stalkers Transport
Tracey Taylor, A W Jenkinson Transport Ltd
Sue Todd, Mountain Goat
Philip Wanless, CBEN
Jennifer Whyberd, WM Armstrong (Longtown) Ltd
Kate Willard, Carlisle Airport

Professional Services Sector Panel

Ewen Alcorn, MacArthur Recruitment
Kathryn Fox, University of Cumbria
Patrick Freeman, University of Cumbria
Joanne Holborn, Chair/ Baines Wilson LLP
Graham Lamont, Lamont Pridmore
Stephen McCullough, Armstrong Watson

Abigail O'Brien, Rachel Bell Wealth Management
Sarah Pemberton, Copeland Borough Council
Rachel Ritson, Grisdales Estate Agents
Caroline Rouncefield, University of Cumbria
John Stashkiw, Logic Business Systems Ltd
David Stout, PFK
Margaret Watson, Cumbria County Council

Rural Sector Panel

Libby Bateman, Country Land and Business Association Ltd
David Black, Paragon Vets
Robert Craig, Dairy Cooperative First Milk, Royal Association of Dairy Farmers
Adam Day, The Farmer Network
Martin Allman, Cumbria County Council
Paul Evans, Cumbria Local Nature Partnership
Sami Falou, BEIS
John Gelgard, Low Foulshaw Farm
David Hall, National Farmers Union
Simon Humphries, Natural England
Keith Jones, Forestry Commission
Naomi Kay, Solway AONB
Andy Lees, North Pennines AONB
Garry Legg, Carlisle City Council
Alistair MacKintosh, NFU
Lois Mansfield, University of Cumbria
Liam McAleese, Lake District National Park
Jessica Patten, Environment Agency
Mary Robinson, Chair / Eden District Council
Amanda Starr, Copeland Borough Council
Stephen Trotter, Cumbria Wildlife Trust
Alistair Wannop, Linstock Castle AD Ltd
Julian Whittle, Cumbria Chamber of Commerce
Matt Williams, South Lakeland District Council
Jez Westgarth, National Trust

Visitor Economy Sector Panel

Paul Armstrong, University of Cumbria
Will Ashcroft, Watergate Bay
Stephen Broughton, Mountain Goat

Asia Connor, Futures Forum / Mountain Goat
Mike Dunbobbin, Appleby Manor Hotel
Peter Frost-Pennington, Muncaster Castle
Jessica Goodfellow, Eden District Council
Gill Haigh, Cumbria Tourism
Sally Hemsley, Eden District Council
Peter Hensman, Nurture Tourism Ltd
Graham Kennedy, Allerdale Borough Council
Gary Lovatt, Federation of Small Businesses
Celia MacKenzie, Whitehaven Harbour Commissioners
Lucja Majewski, Trans Pennine Express
Vanessa Metcalfe, Keswick Tourism
Sarah Mitchell, Copeland Borough Council
Liz Moss, Lakeland Arts
Nicola Parker, Cumbria County Council
Stephen Ratcliffe, Lake District National Park
Jacki Robinson, South Lakeland District Council
Jane Saxon, National Trust
Grant Seaton, Cumberland Building Society
Dan Visser, Langdale Hotel / Cumbria Tourism
Jim Walker, Cumbria Tourism
Paul Walker, Carlisle City Council
Rob Jones, Stagecoach
Nigel Wilkinson, Chair/Windermere Lake Cruises

Futures Forum

Lexie Barton, Lake District Estates
Tiffanie Blair, CCL Solutions
Emily Bond, Eden District Council
Asia Connor, Mountain Goat
Liam Edgley, Furness College
Daniel Hamilton, Cumbria County Council
Sophie Hodge, Carlisle Diocese
Laura Kay, Fairlight Communications
Ruth Leahy, South Lakeland District Council
Jason McAleese, Riverside Recruitment
Mitchell McCombe, Copeland Borough Council
Michael Natrass, Sellafield Ltd
Thomas Shaw, University Student
Karla Thomas, Playdale Playgrounds

Adam Turley, Baines Wilson LLP
Ryan Wilkie, CCL Solutions

Business and Economic Advisory Group

Martin Allman, Cumbria County Council
Libby Bateman, CLA
Emily Bond, Eden District Council
Becky Bowness, Armstrong Watson
Mark Brook, James Walker,
Steph Cordon Barrow Borough Council,
John Coughlan, TSP Engineering
Mark Cropper, Croppers PLC
Steve Curl, Private Equity Specialist
Adam Day, The Farmer Network
Carolyn Dodwell, Chair, Business Strategy Group
Sami Falou, BEIS
Beth Farhat, TUC
Helen Forrester, NFU
Richard Foster, CACN
Paul Foster, FSB
John Grainger, BECBC
Gill Haigh, Cumbria Tourism
Nik Hardy, Allerdale Borough Council
Craig Hatch, WYG
Alison Hatcher, Cumbria County Council
Joanne Holborn, Baines Wilson LLP
Naomi Hollows, BEIS
Sue Howorth, Family Business Network
Laura Lake, BAE Systems
Graham Lamont, Lamont Pridmore
Jo Lappin, BERRG Chair / CLEP
Ken Lau, Carlisle City Council
Barry Leahey, Playdale Playgrounds
Andrew Mackay, Tullie House Museum and Art Gallery
Kathryn McCloghrie, Sellafield Ltd
Sarah Mitchell, Copeland Borough Council
Jayne Moorby, Oxley Group
Ginny Murphy, Cumbria County Council
Heather Murray, DWP
Steve Nicol, Nicol Economics

Carla Passarello, DWP
Emma Porter, Story Construction
Steve Ratcliffe, LDNPA
Mary Robinson, Eden District Council
Neil Robinson, Tyson Burridge
Grant Seaton, Cumberland Building Society
Ian Sinker, University of Cumbria
Simon Sjenitzer, WYG
Lorraine Smyth, ACTion with Communities in Cumbria
Karl Susol, DiT
Sarah Swindley, Lake District Foundation
Mike Turner, Lake District Partnership Business Task Force
Adam Vaughan, The Idol
Ali Westwood, CBI
Julian Whittle, Cumbria Chamber of Commerce
Nigel Wilkinson, Windermere Lake Cruises
Matt Williams, South Lakeland District Council
David Wright, Gleeson Homes

APPENDIX D – CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY

Introduction

This Code is intended as a guide, to indicate the standards of conduct and accountability, which are expected of members, co-opted members and officers working on behalf of CLEP to assist them in carrying out their role.

This Code is not intended to be a definitive or authoritative statement of the law or good practice.

All LEP representatives have an obligation to act in the best interests of the LEP and in accordance with its governing documents. Conflicts of interests may arise where an individual's personal, organisational or family interests and/or loyalties conflict with those of CLEP or the group or meeting that employees or Board members are attending. For example, when a Board member is a shareholder in a company that is a potential beneficiary of grant funding. Such conflicts may create problems which can:

- Inhibit free discussion;
- Result in decisions or actions that are not in the interests of CLEP and
- Risk the impression that CLEP has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety, to maintain CLEP's high ethical standards and protect our reputation against any allegations of conflict of interest.

The Policy

Introduction

1.1 You are a member, co-opted member or officer of the CLEP hence you shall have regard to the following principles – selflessness, integrity, objectivity, accountability, openness, honesty and leadership in your conduct at all times.

1.2 All members, co-opted members and officers working on behalf of CLEP agree to accept the provisions of this Code, and sign up to this Code on commencing their role with the LEP. LEP officers equally sign up to their own Officer Code of Conduct.

2. Public Service Values

2.1 Public service values are at the heart of the LEP's purpose. High standards of personal and corporate conduct are expected, based on the principles laid down by the Nolan Committee on Standards in Public Life for those holding public office, namely:

- selflessness
- integrity
- objectivity
- accountability
- openness
- honesty
- leadership

2.2 An extract from the report of the Nolan Committee setting out these Principles in more detail can be found in Annex 1. These principles form the basis upon which this Code of Conduct operates.

2.3 Accordingly, when acting in your capacity as a members, co-opted member or officer of the CLEP:

- You must act in a manner consistent with your LEP's equality and diversity strategy and treat your fellow Board Members, members of staff and others you come into contact with when working in their role with respect and courtesy at all times.
- You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
- You must not place yourself under a financial or other obligation to outside individuals or organisations that might be reasonably regarded to influence you in the performance of your official duties.
- When carrying out your LEP duties you must make all choices, such as making appointments, awarding contracts or recommending individuals for rewards or benefits, based on evidence.
- You are accountable for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your position. You must be as open as possible about both your decisions and actions and the decisions and actions of the LEP. In addition, you should be prepared to give reasons for those decisions and actions.

- You must declare any private interests, both pecuniary⁴ and non-pecuniary,⁵ including membership of any Trade Union, political party or local authority that relates to your LEP duties. Furthermore, you must take steps to resolve any conflicts arising in a way that protects the public interest. This includes registering and declaring interests in a manner conforming with the procedures set out in the section 'Registering and declaring pecuniary and non-pecuniary interests'.
- You must, when using or authorising the use by others of the resources of your LEP, ensure that such resources are not used improperly for political or personal purposes (including party political purposes).
- You must promote and support high standards of conduct when serving in your LEP post, in particular as characterised by the above requirements, by leadership and example.

3. Registering and declaring pecuniary and non-pecuniary interests

3.1 You must, within 28 days of taking office as a Board Member or co-opted, notify your LEP Chief Executive and Accountable Body's S151/S73 Officer of any disclosable pecuniary interest, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a spouse, or as if you were civil partners.

3.2 In addition, you must, within 28 days of taking office, notify your LEP Chief Executive and Accountable Body's S151/ S73 Officer of any non-pecuniary interest which your LEP has decided should be included in the register or which you consider should be included if you are to fulfil your duty to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include your membership of any Trade Union.

3.3 Board members should review their individual register of interest before each board meeting and decision making committee meeting. They must declare any relevant interest(s) at the start of the meeting. If an interest has not been entered onto the LEP's register, then the member must disclose the interest at any meeting of

⁴ The definition of a pecuniary interest is as set out in the Localism Act 2011 and the relevant authorities (Disclosable Pecuniary Interests)

⁵ A Non-Pecuniary interest is any interest which is not listed in the Schedule to the Relevant authorities (Disclosable Pecuniary Interests) Regulations 2012 (No 1464)

the LEP at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'⁶.

3.4 Following any disclosure of an interest not on the LEP register or the subject of pending notification, you must notify the LEP Chief Executive and S151/S73 Officer of the interest within 28 days beginning with the date of disclosure.

3.5 Unless dispensation has been granted, by the Chair of the meeting, and with the agreement of the Board, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest. Additionally, you must observe the restrictions your LEP places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your LEP.

3.6 Consideration of conflicts of interest is not reserved for formal decision making meetings and should be applied to any activity or involvement of the Board member in the workings of CLEP.

3.7 A declaration of interests form is provided at Appendix 1 for this purpose, listing the types of interest to be declared. To be effective, the declaration of interests will be updated at least annually and also when any changes occur. The Executive will review the register of interest every six months and updated regularly. At the same point each CLEP member will be invited to sign an updated declaration confirming their acceptance of the code of conduct.

4. Conflict of Interest

4.1 Members, co-opted members and officers should seek to avoid putting themselves in a position where there is a conflict (commercial, actual or potential) between their personal interests and their duties to the LEP. They should not allow any conflict of interest to arise which might interfere with the exercise of their independent judgement. This policy covers all three types of conflicts of interest.

4.2 Members, co-opted members and officers should not receive gifts, hospitality or benefits of any kind from a third party which might be seen to compromise their

⁶ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

personal judgement or integrity. For further information in relation to the receiving of gifts, hospitality and other benefits please see Appendix E.

4.3 The Executive will maintain a Register of Members' Interests which will be open for public inspection and be made publicly available on the CLEP website. Members, co-opted members and officers must disclose routinely to the Board all business interests, financial or otherwise, which they may have, for entry on the Register. For further information on the Register of Member's Interest please see Appendix 1.

5. Procedure for Managing Conflicts

5.1 When an interest materially affects a member's ability to vote without prejudice, this will be deemed to be non-trivial and a conflict of interest. In such circumstances the member will withdraw from the meeting while the discussion and vote takes place.

5.2 Upon the declaration of any conflicts of interest at a meeting of the Board, the non-conflicted members will:

- assess the nature of the conflict;
- assess the risk or threat to member decision-making;
- decide whether the conflict is non-trivial (that is, it is material or has the potential to be detrimental to the conduct or decisions taken by the members); and
- decide what steps to take to avoid or manage the conflict.

5.3 The conflicted member must not take part in the discussion or decision and will not be counted when determining whether the Board meeting is quorate.

5.4 The non-conflicted members will consider whether it is necessary to seek the advice of CLEP's Company secretary on whether the conflict is nontrivial and/or on how to manage the conflict declared.

5.5 Subject to the provisions set out in the LEP's Articles of Association, if the non-conflicted members consider that the declared conflict is trivial, they may agree that the conflicted Member may continue to participate in discussions and the decision-making process.

5.6 If the non-conflicted members consider that the conflict is non-trivial, the non-conflicted members will determine what action is appropriate in light of the

nature and extent of the conflict. A number of steps can be taken to deal with the conflict, including:

- excluding the conflicted member from discussions in relation to the matter to avoid inadvertently influencing the non-conflicted members;
- excluding the conflicted members from decision-making in relation to the matter while the conflict exists;
- delegating the matter to a sub-committee of non-conflicted members;
- seeking independent advice to help with a decision;
- appointing an alternative, non-conflicted member;
- resignation of the conflicted member where the conflict is acute or pervasive; and/or
- applying to the court for directions.

5.7 The Chair of the Board will inform the conflicted member of the non-conflicted members' decision. The secretary to the Board will note in the minutes of the meeting the conflict declared, an outline of the discussion and the actions taken to manage the conflict.

6. Collective Responsibility

6.1 The LEP Board, and those Sub-Boards with delegated powers, operate by members taking majority decisions in a corporate manner at meetings. Therefore, a decision of the Board, Committee or Strategy Board, even then it is not unanimous, is a decision taken by the Members collectively and each individual Member has a duty to stand by it, whether or not he or she was present at the meeting when the decision was taken.

6.2 If a Member disagrees with a decision taken, his or her duty is to have any disagreement discussed and recorded in the minutes.

7. Openness and Confidentiality

7.1 Because of the LEP's public accountability, as a general principle, agendas, minutes and other papers relating to meetings of the Board, Committee and Strategy Boards are normally available for public inspection, once they have been approved for publication by the Chair.

7.2 There will be occasions when the record of discussions and decisions will not be made available for public inspection; for example, when the Board, Committee or Strategy Board considers sensitive issues or named individuals and for other good reasons. Such excluded items will be circulated in confidence to relevant Members. Some confidential items are likely to be of a sensitive nature for a certain period of time only (for example information relating to a proposed commercial project). The relevant Board or Committee should consider how long such items should be treated as confidential and such items should be regularly reviewed to consider whether the confidential status should be removed or whether the public interest in disclosure outweighs that confidential status and the item made available for public inspection.

7.3 It is important that the Board or Committee has full and frank discussions in order to take decisions collectively. To do so, there must be trust between members with a shared corporate responsibility for decisions. Members should keep confidential any matter which, by reason of its nature, the Chair or Members of the Board or Committee are satisfied should be dealt with on a confidential basis.

7.4 Members should not make statements to the press or media or at any public meeting relating to the proceedings of the Board without first having obtained the approval of the Chair. It is unethical for Members to publicly criticise, canvass or

reveal the views of other Members which have been expressed at meetings of the Board.

8. Non Compliance

Board Members

8.1 If the Chief Executive or Chair becomes aware of an allegation that a Board Member has acted in breach of this policy, a fact finding exercise to establish the validity of the allegation will be undertaken, before undertaking any further action. Minor, vexatious or unsubstantiated allegations will be dismissed at this point.

8.2 Where there is evidence to support the allegation, the Board Members or Sub-Board members who are considered to be in breach of the policy will be invited to a one to one meeting with the Chair, to discuss the situation. Further action being dependent on the level of the breach. The Chair will determine what further action is necessary depending on the seriousness of the alleged breach. The Chair may reach a resolution of minor breaches of the Code with the Board member at this stage and will report the action taken to the next meeting of the Board.

8.3 If the breach relates to a failure to register or declare a registrable interest at a meeting, as opposed to manage a conflict of interest, the Chair will invite the board member to comply with the policy within 14 days of the discussion. Should the Board member fail to comply with the request, then the Chair will consider impeachment action, in line with the Board's terms of reference. The Board's decision is final. If the alleged breach is serious and/or complex in nature, for example a failure to declare a pecuniary interest or to properly manage any conflict of interest, the Chair will commission further investigation.

8.4 Following receipt of the report of the investigation, the Chair will invite the Board member to a meeting to discuss the findings and where appropriate the resolution of the breach. The Chair will report the outcome of the meeting to the next meeting of the Board. Where a serious breach of the Code has been established, the Chair will consider impeachment action, in line with the LEP Board's terms of reference.

8.5 In the instance of more serious breaches for example failure to manage a conflict of interest or adhere to the code of conduct, the Chair will invite the Board meeting to a one to one meeting to discuss the breach. If it becomes clear that there is no satisfactory explanation then the Chair will consider impeachment action, in line with the Board's Terms of Reference. The Board's decision is final.

9. LEP Staff

9.1 If the breach relates to a member of the LEP staff, the Chief Executive, will determine the appropriate action, which may include disciplinary action, dependant on the breach. If the breach relates to the Chief Executive, this will be handled by the Chair.

**Extract from the Second Report of the Nolan Committee on Standards in Public Life,
May 1996**

SELFLESSNESS

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP

Holders of public office should promote and support these principles by leadership and example.

CUMBRIA LOCAL ENTERPRISE PARTNERSHIP: REGISTER OF MEMBERS' INTERESTS**Date: Two Year Period From March 20xx to March 20xx**

As a Board Member/Co-opted Member or officer working on behalf of the Cumbria Local Enterprise Partnership (LEP), I declare that I have the following disclosable pecuniary and/or non-pecuniary interests. ***(Please state 'None' where appropriate, do not leave any boxes blank).***

NOTIFICATION OF CHANGE OF CIRCUMSTANCES

Each Board Member shall review their individual register of interests before each board meeting and decision making committee meeting, submitting any necessary revisions to the LEP and S151/S73 Officer at the start of the meeting. Any recorded interests relevant to the meeting should also be declared at this point.

Even if a meeting has not taken place a Member must, within 28 clear working days of becoming aware of any change to the interests specified below, provide written notification to the LEP and S151/S73 Officer, of that change.

***SPOUSE/PARTNER** – In the notice below my spouse or partner means anyone who meets the definition in the [Localism Act](#), i.e. my spouse or civil partner, or a person with whom I am living as a spouse or a person with whom I am living as if we are civil partners, and I am aware that that person has the interest having carried out a reasonable level of investigation. Where your spouse or partner has recently been involved in any activity which would have been declarable, this should be mentioned, with the date the activity ended.

SECTION 1	ANY EMPLOYMENT, OFFICE, TRADE, PROFESSION OR VOCATION CARRIED ON FOR PROFIT OR GAIN	MYSELF	SPOUSE/PARTNER*
1.1	<p>Name of:</p> <p>your employer(s)</p> <p>any business carried on by you</p> <p>any other role in which you receive remuneration (this includes remunerated roles such as councillors).</p>		
1.2	Description of employment or business activity.		
1.3	The name of any firm in which you are a partner.		
1.4	The name of any company for which you are a remunerated director.		

SECTION 2	SPONSORSHIP	MYSELF	SPOUSE/PARTNER
2.1	<p>Any financial benefit obtained (other than from the LEP) which is paid as a result of carrying out duties as a Member.</p> <p>This includes any payment or financial benefit from a Trade Union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 (a).</p>		
SECTION 3	CONTRACTS	MYSELF	SPOUSE/PARTNER
	Any contract for goods, works or services with the LEP which has not been fully discharged by any organisation named at 1.1.		
	Any contract for goods, works or services entered into by any organisation named at 1.1 where either party is likely to have a commercial interest in the outcome of business being decided by the LEP.		

SECTION 4	LAND OR PROPERTY	MYSELF	SPOUSE/PARTNER
	<p>Any interest you or any organisation listed at 1.1 may have in land or property which is likely to be affected by a decision made by the LEP.</p> <p>This would include, within the area of the LEP:</p> <ul style="list-style-type: none"> • Any interest in any land in the LEP areas, including your place(s) of residency • Any tenancy where the landlord is the LEP and the tenant is a body in which the relevant person has an interest • Any licence for a month or longer to occupy land owned by the LEP. <p>For property interests, please state the first part of the postcode and the Local Authority where the property resides. If you own/lease more than one property in a single postcode area, please state this.</p>		

SECTION 5	SECURITIES	MYSELF	SPOUSE/PARTNER
5.1	<p>Any interest in securities of an organisation under 1.1 where:-</p> <p>(a) that body (to my knowledge) has a place of business or land in the area of the LEP; and</p> <p>(b) either –</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which has an interest exceeds one hundredth of the total issued share capital of that class.</p>		

SECTION 6	GIFTS AND HOSPITALITY	MYSELF	SPOUSE/PARTNER
	Any gifts and/or hospitality received as a result of membership of the LEP (above the value of £50 for Board members; £25 for officers).		

OTHER INTERESTS

Membership of Organisations

I am a member of, or I am in a position of general control, a trustee of, or participate in the management of:

1. Any body to which I have been appointed or nominated by the LEP:

2. Any body exercising functions of a public nature (eg school governing body or another LEP):

3. Any body directed to charitable purposes:

4. Any body, one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union):

--

5. Any local authority (please state any interests you hold as LA leaders/cabinet members for LA land, resources and the LA's commercial interests):

--

6. Any other interest which I hold which might reasonably be likely to be perceived as affecting my conduct or influencing my actions in relation to my role.

--

MEMBER'S DECLARATION AND SIGNATURE

I confirm that having carried out reasonable investigation, the information given above is a true and accurate record of my relevant interests, given in good faith and to the best of my knowledge.

Date	
Member's Name <i>(Capitals – in full)</i>	

Signature	
------------------	--

RECEIPT BY LEP

Date received by the LEP	
---------------------------------	--

Signature of LEP Chief Executive	
---	--

RECEIPT BY S151/S73 OFFICER

Date received by the S151/S73 Officer	
--	--

Signature of S151/S73 Officer	
--------------------------------------	--

APPENDIX E – GIFTS AND HOSPITALITY

1. Introduction

1.1 The guiding theme is that it is never Cumbria LEPs (CLEP's) intention to create an obligation on either party as a result of hospitality, but that such occasions will be used to enhance our professional working relationships. Recommendation 32 of the Nolan Committee requires that:

"...a record of invitations and offers of hospitality should be kept. There should be clear rules specifying the circumstances in which staff should seek management advice about the advisability of accepting invitations and offers of hospitality".

1.2 This requirement applies to CLEP, and the Chief Executive should therefore ensure that:

- Members, co-opted members and officers maintain the hospitality register;
- The register can provide the basis for the provision of information to Partners;
- Members, co-opted members and officers are fully aware of the duty upon them to record gifts and hospitality, and the procedures for doing so.

1.3 It must be emphasised that the intent of this policy is not to discourage or prevent the acceptance of hospitality where this is helpful to further the interests of CLEP; the Nolan Committee accepted that there were advantages in officials continuing to be free to accept invitations to working lunches and dinners and for those with a representational role to attend other events.

1.4 Nor is it intended to imply a lack of trustworthiness on the part of Members, co-opted members and officers, but rather it is intended to demonstrate probity and protect staff from any suspicion (no matter how unfounded) of misconduct.

2. Scope

2.1 This procedure applies to all CLEP members, co-opted members and officers and aims not just to safeguard the position of the company by demonstrating its freedom from corruption, but also to give protection to staff against personal embarrassment and criticism (however misplaced) and enable them to prove their freedom from corruption.

3. Policy

3.1 The acceptance of any hospitality and/ or gifts must be consistent with the provisions of the Prevention of Corruption Acts, which make it a criminal offence for members, co-opted members and officers in their official capacity, to accept any gift or consideration corruptly as an inducement or reward for doing (or not doing) anything or showing favour (or disfavour) to any person in their official capacity.

3.2 The general principle that staff should not receive benefits of any kind from a third party which might be seen to compromise their personal judgement or integrity. The guiding principles are that:

- Members', co-opted members' and officers' conduct in a private capacity must not give rise to any suspicion of conflict between their official duty and private interests;
- Members', co-opted members' and officers' conduct in an official capacity must not give the impression, to any member of the public, to any organisation with which they deal or to colleagues, that they have been (or may have been) influenced by a gift or consideration to show favour or disfavour to any person or organisation;
- Any gifts or hospitality should always be refused if the member of staff or the company is in any doubt about the propriety of accepting.

4. The Register

4.1 The Chief Executive will maintain the register, which will be placed on the CLEP website. This will include:

- Satisfying himself/herself that the register is being properly maintained;
- Reviewing the entries with a view to checking, to the best of his/her knowledge, that it is complete, and that the rules are being observed;
- Reporting to the Board;
- Keeping a record of the carrying out and date of these checks.

5. Reporting on the Chief Executive's Own Acceptance of Gifts and Hospitality

5.1 The Chief Executive should report his/her own log entries, together with a confirmation that logs are being maintained and checked by the Board on an annual basis.

6. Reporting on Board Members' Acceptance of Gifts and Hospitality

6.1 Board Members should also report their own log entries and are required to abide fully by this policy.

7. Coverage

7.1 Members, co-opted members and officers with a significant representational role may accept tickets to sporting, cultural or social events, unless there is a contractual (or potential contractual) relationship with the donor and assuming attendance is appropriate.

7.2 Acceptance will generally only be appropriate in isolated instances. Accepting frequent, regular, annual or seasonal invitations (particularly from the same source) would normally go beyond the accepted standards of conduct. Where such tickets are accepted, they must be logged in the register.

7.3 The key test is whether attendance is consistent with the general rules on acceptance of gifts and hospitality and is in the interest of CLEP and will it further its objectives – and normally this will mean that there will be an opportunity to discuss official business. This must be clearly demonstrable, since the fact that tickets could not become the property of the company in the way that another gift would, may make them look like a personal gift and thus more open to public criticism.

7.4 Any favours, benefits or considerations which are not gifts or hospitality, e.g. special discounts, access to services and/or facilities, free membership of clubs or other privileges not available to others, offered by a firm or organisation with which a member of staff is in official contact should be refused with, if necessary, a polite letter explaining the companies rules. Any such offer should be reported to the member of staff's Line Manager.

8. Failure to Comply

8.1 Failure to observe these requirements could constitute a breach of code of conduct for members and co-opted members and a disciplinary offence for members of staff and could, in the event of allegations of fraud and/or corruption, leave the individual involved open to criminal proceedings under the Prevention of Corruption Acts.

9. Gifts

9.1 All members, co-opted members and officers should:

- Not solicit any gift;
- Decline any personal gift;
- Decline or return any official gift unless it is trivial, e.g. items such as calendars, diaries, blotters, or other simple pieces of office equipment of modest value, and then only if it bears the company's name or logo and can thus be regarded as advertising material or refusing would cause serious embarrassment.

9.2 When gifts are received in the office and have to be returned, they should be sent back to the donor with a polite covering letter explaining the company's rules and policy.

9.3 Gifts should only be accepted in cases where a refusal would clearly cause misunderstanding or offence. When accepted, such gifts become the property of the organisation and it must be made clear to the donor of any such gift that it has been accepted on behalf of the company, and thus that the recipient is gaining no personal benefit.

9.4 Any gift accepted which is valued at over £25 for officers and £50 for Board members must be listed in the gifts and hospitality register. Gifts of money must **never** be accepted.

9.5 Any overt or covert offer of a gift or other inducement to some action pertaining to a contract must be **immediately** reported to the Chief Executive.

10. Hospitality

10.1 All members, co-opted members and officers should not solicit any hospitality and consider carefully whether it is appropriate to accept any invitation, taking into account:

The value - firstly, whether it is sufficiently great in itself to give rise to criticism – the yardstick is the perceived value, rather than the actual cost to the provider. But secondly whether the offer, whatever the value, is disproportionately generous in relation to normal day-to-day relations with the individual or organisation involved.

The frequency - whether it is more frequent or regular than would be regarded as normal or reasonable, taking into account the nature of the event.

The potential for embarrassment - whether the organisation or individual is under any investigation or whether (even if the member of staff involved is not concerned in financial, contractual or regulatory matters), the acceptance of the invitation would still be open to misconstruction or misrepresentation.

The nature of the host's relationship with the company - contacts which are promotional, representational and/or relate to information gathering are less likely to create (or appear to create) an obligation than those which are regulatory or could lead to a contractual relationship. Particular care is needed where the individual or organisation stands to benefit commercially or in other ways from the goodwill of the company.

10.2 In considering accepting hospitality, members, co-opted members and officers should:

- Consult management about any hospitality that is disproportionate, frequently repeated or otherwise unusual;
- Treat with special caution any offers of hospitality which include a member of staff's family;
- Have regard to the need to avoid over-representation at any particular event
- Register all instances accepted other than the trivial;
- Report immediately to the Chief Executive any (overt or covert) offer of hospitality or other inducement to some action pertaining to a contract.

11. Responsibility

It is the responsibility of all members, co-opted members and officers to implement and comply with this policy and the responsibility of the Chief Executive to maintain the Register.

APPENDIX F - BOARD MEMBERS EXPENSES POLICY

1. INTRODUCTION

1.1 The general principle accepted by the LEP Board is that the role of Board member is non-remunerated, with the expectation that private and public-sector organisations will have their travel expenses met by their employing organisation.

1.2 However, the Board has recognised that this general principle could place unreasonable expenditure expectations on those with significant external visit expectations (e.g. the Chair), sole traders, micro SMEs or the Voluntary and Community Sector (VCSE) representative. Additionally, that it is unreasonable to expect that more generally, private sector business or the VCSE members will automatically pay any overnight expenses or larger rail travel costs, when incurred on Board approved travel.

1.3 This policy therefore aims to address these issues.

2. ELIGIBILITY

2.1 All private sector Board members undertaking significant Board related activity (e.g. Chair) or operating as a sole trader or running a micro business (employing less than 10 people) or representing the Voluntary and Community Sector will be eligible to claim legitimate travel expenses for any travel undertaken on approved LEP business. Any LEP Board member, who feels that they meet this eligibility criterion, should confirm this with the Chief Executive, as senior responsible officer.

2.2 In addition to payment of legitimate travel and subsistence expenses to eligible Board members (i.e. Chair, sole traders, micro-SMEs or VCSE representative), it is recognised that it might be appropriate to pay any private sector Board member expenses, when these are considered excessive for example rail travel to London or an overnight stay. These costs will be considered for refund, subject to the individual Board member advising the Executive of this in advance and ensuring that the costs incurred are in keeping with best value considerations.

3. RATES

3.1 In implementing a travel and subsistence policy for an organisation, predominantly funded by the public sector, it is essential that all payments are in line with standard public-sector re-imburement rates. This policy therefore adopts rates paid to elected members in Local Authorities.

3.2 Rates will be reviewed on an annual basis and updated, when necessary, in line with standard public-sector elected member rates.

3.3 Payments will be made in accordance with Annex A.

4. PERIOD OF OPERATION

4.1 This policy applies from 1 April 2018 and will remain in force until amended or revoked by the Board.

5. PAYMENT ARRANGEMENTS

5.1 Claims should be submitted to the LEP Chief Executive within 10 working days of the end of the month on which the expenses were incurred, using the form provided at Annex B.

5.2 On receipt of the claim the Executive will process the payment and ensure that this is recorded on the Travel and Subsistence record on the CLEP website.

TRAVEL AND SUBSISTENCE RATES

Mileage rates

Travel allowances are payable to all Board members who necessarily incur expenditure in the performance of an approved duty. The mileage rates are the prevailing HM Revenue and Customs limits for tax allowance purposes. Currently these are as follows:

All users	First 10,000 miles Per Mile	Above 10,000 miles per Mile	Allowance per passenger (up to a max of 4 passengers)
Car	45p	25p	5p
Motor Cycle	24p	24p	
Cycle	20p	20p	

Rail Fares

Standard rail fare reimbursed at cost on producing of a valid ticket or receipt.

Subsistence rates

Meal	Condition	Maximum Value Payable
Breakfast	Payable where the Board member is required to leave home before 7.00am, to meet LEP Board commitments.	£6.10
Lunch	This allowance is only payable in exceptional circumstances e.g. if the individual is unexpectedly delayed and/or needs to purchase food at a higher cost than that normally incurred.	£8.20
Dinner	In exceptional circumstances, where an unplanned absence from home continues beyond 20:30.	£10.20
Overnight Allowance	London Subject to prior approval from Chief Executive.	£140
Overnight Allowance	Elsewhere Subject to prior approval from Chief Executive.	£120

Subsistence claims must be accompanied by receipts and recorded on the Travel and Subsistence Claim Form to enable reimbursement.

EXPENSES CLAIM FORM

Date	Reason for Travel / Expense	Miles* / Item	Amount
		Total amount	

* Please refer to the mileage rates below

Signature _____

Print Name _____ Date _____

Authorised by _____

Bank Account Details for Payment

Name of Account _____

Sort Code _____

Account Number _____

CCC Supplier Number if know _____

Please return this completed claim by 10th of the month following the month after which the expenditure was incurred to:

Chief Executive, Cumbria Local Enterprise Partnership, Redhills, Penrith CA11 0DT

Travel and Subsistence Rates

Mileage rates

Travel allowances are payable to all Board members who necessarily incur expenditure in the performance of an approved duty. The mileage rates are the prevailing HM Revenue and Customs limits for tax allowance purposes. Currently these are as follows:

All users	First 10,000 miles Per Mile	Above 10,000 miles per Mile	Allowance per passenger (up to a maximum of 4 passengers)
Car	45p	25p	5p
Motor Cycle	24p	24p	
Cycle	20p	20p	

Rail Fares

Standard rail fare reimbursed at cost on producing of a valid ticket or receipt.

Subsistence rates

Meal	Condition	Maximum Value Payable
Breakfast	Payable where the Board member is required to leave home before 7.00am, to meet LEP Board commitments.	£6.10
Lunch	This allowance is only payable in exceptional circumstances e.g. if the individual is unexpectedly delayed and/or needs to purchase food at a higher cost than that normally incurred.	£8.20
Dinner	In exceptional circumstances, where an unplanned absence from home continues beyond 20:30.	£10.20
Overnight Allowance	London Subject to prior approval from Chief Executive.	£140
Overnight Allowance	Elsewhere Subject to prior approval from Chief Executive.	£120

Subsistence claims must be accompanied by receipts and recorded on the Travel and Subsistence Claim Form to enable reimbursement.

APPENDIX G - ENGAGEMENT STRATEGY

1. INTRODUCTION

1.1 CLEP is committed to delivering all aspects of its business in an open and inclusive manner, ensuring that all business, public and voluntary and community sector partners have the opportunity to engage with and inform strategy development and delivery.

1.2 This strategy outlines what is meant by engagement and establishes the broad approaches we will use in gathering the views of people, businesses and organisations to enable them to be informed, influence and scrutinise.

2. WHAT IS EFFECTIVE ENGAGEMENT?

2.1 To be valuable engagement must be both effective and meaningful. It must enable CLEP's stakeholders to feel that they have had their say, had their views considered and understand the actions that have resulted from the engagement process.

2.2 In order to do this engagement must be undertaken with clearly established principles at its heart. For CLEP this means all engagement activity will be:

- **Communicative** – ensuring that there is strong understanding of our strategies and activities and that we communicate regularly through a wide range of channels including the website, specialist publications, radio, electronic media etc;
- **Clear** – about the reason for the engagement, with clear and understandable processes and outcomes;
- **Consistent** – we will set out the mechanisms at the outset and ensure that we deliver on these in a way that is visible and transparent;
- **Collaborative** – demonstrating an approach that is about working together to achieve optimum results;
- **Open** – honest and realistic about what we can and can't do and given of our time and knowledge;
- **Inclusive** – looking to engage the widest range of stakeholders to ensure that we are reflecting the views of all of those that we serve.

3. WHY DO WE ENGAGE?

3.1 In order to deliver on our strategic objectives and because we recognise that the best results are achieved by engaging the widest possible number of organisations and individuals, to ensure that strategies and plans can be converted into action. It is for Cumbria as a whole to deliver and therefore we need to understand the opportunities and challenges that exist for people, businesses and organisations and we need to ensure that we are taking the right actions to respond to them.

4. WHO DO WE ENGAGE?

4.1 CLEP will seek to engage with a broad spectrum of stakeholders that reflect the social, economic and political fabric of Cumbria, and in particular those with protected characteristics and our young people to ensure that we are future proofing our activities. We recognise that Cumbria is a diverse county with a multitude of stakeholders with a stake in the future economic prosperity of the county and therefore we will engage accordingly.

4.2 We will therefore look to engage, but not exclusively, with the following group and examples:

- **Businesses** – across the breadth of the business base
- **Government** – as our sponsors and funders
- **Local Government** – All Local Authorities and NPAs
- **MPs** – all Cumbria MPs to ensure that CLEP understands and help address constituency issues
- **Representative Organisations** – Chamber of Commerce, FSB, NFU, CBI, IoD etc
- **Key Agencies** – Skills Funding Agency, Homes England, Transport for the North, Highways England etc
- **Key Sectors** – Cumbria's nine priority sectors
- **Public Sector** – Police, Health, Fire etc
- **Voluntary and community sector** – all third sector partners
- **Press and Media** – local TV, radio and press
- **Opinion Formers** – Research institutes, think tanks etc

4.3 We recognise that when seeking views, some individuals, businesses or organisations may be harder to reach than others.

5. HOW DO WE ENGAGE?

5.1 CLEP will seek to utilise the following types of engagement to reach as wide an audience as possible. We recognise that certain types of engagement will work better in certain situations.

Approach	Purpose	Example Tools
Communicate	To provide balanced and objective information to improve understanding of the issues	Web site Fact sheets/ leaflets Newsletters Events Local Media

Approach	Purpose	Example Tools
Collaborate	Partner with other organisations to develop collaborative solutions and decisions	Consensus building Partnership agreements Develop Steering/Working Groups
Consult	Obtain feedback on analysis, alternatives and decisions	Surveys Public Meetings Events and exhibitions Web forums
Involve	Work with stakeholders to ensure that issues are understood and debated	Workshops Focus groups Public Meetings

5.2 In undertaking any formal consultation activity on significant strategies CLEP will adopt a seven-stage consultation process as outlined below:

Stage 1 – forming a partnership Steering Group to oversee the development of the strategy and consultation process

Stage 2 – partnership awareness programme via presentations to a wide range of organisations and events

Stage 3 – securing partnership buy-in to the emerging evidence base and the headline issues

Stage 4 – partnership consultation events on the outline draft strategy

Stage 5 – online consultation on the draft outline strategy

Stage 6 – partnership consultation events on full draft strategy

Stage 7 – online consultation on the final draft.

6. WHAT ARE WE TRYING TO ACHIEVE?

6.1 The engagement activity undertaken by CLEP will enable us to:

- Be more accountable;
- Build strong ties with local people, businesses and organisations;
- Make quality decisions informed by engagement;
- Focus on identified priorities.

6.2 These things matter because CLEP believes that it is important that local people feel that they are able to influence and participate in decisions that affect their economic future as it is shaped and delivered.

6.3 By engaging the people, businesses and organisations of Cumbria we believe that we will discover more about the opportunities and challenges that face the county and therefore we will be better prepared to make the right interventions to either maximise or address these.

6.4 We need to do this whilst ensuring that we offer value for money and that we are accountable to government, local elected members and the businesses, people and communities of Cumbria.

7. HOW WILL WE ACHIEVE THIS?

7.1 CLEP undertakes to:

- Keep as wide a range of stakeholders informed of LEP activity as possible, utilising a variety of methods and tools;
- Listen to our stakeholders, acknowledge concerns and provide feedback;
- Seek out the most cost effective and appropriate tools and methods and not be afraid to innovate in developing new approaches to engagement;
- Ensure that we work in partnership with other people, businesses and organisations where this adds value to the engagement process;
- Work with local people, businesses and organisations to understand the range and type of information they are interested in;
- Ensure that our staff, directors and partners will develop their experience and know how in engaging effectively.

8. HOW WILL WE EVIDENCE THIS?

8.1 In all aspects of engagement CLEP will ensure that there is clear evidence that the contribution of partners has effectively influenced CLEP's strategies, activities or interventions. This will be in the form of outcome reports from consultation events, consultation questionnaires, minutes of meetings etc., with details of how these have impacted upon the final product.

9. FURTHER INFORMATION AND CONTACT

9.1 To find out more about how to be involved with Cumbria Local Enterprise Partnership engagement activity, contact: jo.lappin@thecumbrialep.co.uk

APPENDIX H – COMPLAINTS POLICY

1. Introduction

1.1 CLEP is committed to creating a work environment with the highest possible standards of openness, probity and accountability. In view of this commitment we encourage employees and others with serious concerns about any aspect of the LEP's work to come forward and voice those concerns without fear of reprisal. For employees and those working closely with the LEP, please follow the whistleblowing policy at Appendix I. For third parties and members of the public, please follow the complaints procedure outlined below.

1.2. If, however, a member of the public or third party believes that their complaint fits the description below; they can elect to report their concerns through the whistleblowing policy procedure at Appendix I.

- *Whistleblowing* - where an individual who has concerns about a danger, risk, contravention of rules or illegality provides useful information to address this. In doing so they are acting in the wider public interest, usually because it threatens others or impacts on public funds. By contrast, a grievance or private complaint is a dispute about the individual's own position and has no or very limited public interest.

1.3 CLEP views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint. The LEP will consider all complaints or allegations.

1.4 Our policy is:

- To provide a fair complaints procedure, which is clear and easy to use for anyone wishing to make a complaint;
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint;
- To make sure everyone at CLEP knows what to do if a complaint is received;
- To make sure all complaints are investigated fairly and in a timely way;
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired;
- To gather information which helps us to improve what we do.

2. Definition

2.1 A complaint is an expression of dissatisfaction, however made, about the standard of Service, action or lack of action by CLEP, its members, co-opted members and officers, or Service Delivery Partners (SDPs) or agents providing services on behalf of the LEP affecting an individual Service User or a group of Service Users.

3. Confidentiality

3.1 CLEP would encourage complainants to be open in raising their concerns, as this makes it easier for the LEP to investigate and provide feedback.

3.2 Any complaints made under this procedure will be treated in a sensitive manner. However, the LEP recognises that the complainant may want to raise a concern in confidence, i.e. they may want to raise a concern on the basis that their name is not revealed without their consent.

3.3 The LEP will respect any request for confidentiality as far as possible, restricting it to a 'need to know' basis. However, if the situation arises where it is not possible to resolve the concern without revealing the complainant (for example in matters of criminal law), the LEP will advise them before proceeding. The same considerations of confidentiality should be afforded to the recipient(s) at the centre of the concern, as far as appropriate.

4. Anonymous Complaints

4.1 CLEP takes all complaints and concerns raised by members of the public and third parties seriously. We will investigate anonymous allegations. However we remind complainants that when people put their names to an allegation the ability to investigate and therefore reach firm conclusions is strengthened. Concerns expressed anonymously will be considered at the discretion of the LEP. When exercising this discretion the factors to be taken into account would include:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

4.2 The Ministry of Housing, Communities and Local Government may request information arising from this process if they have concerns regarding a LEP or have been approached with similar complaints. The expectation is that this information will be provided on an anonymous basis. However, it may be necessary to provide personal details to progress a complaint.

4.3 Where details are gathered, CLEP will put in place appropriate data protection arrangements in line with the [Data Protection Act 1998](#) and [Data Protection Act 2018](#).

5. How to Complain (Stage 1)

5.1 If you would like help making a complaint, you can contact your local councillor or MP. You can also get help from a specialist advice agency or organisation which represents people, such as a Citizens Advice Bureau (CAB). In making your complaint you should provide as much as possible information or evidence that may be relevant to the complaint, including names, dates or documentation in this correspondence.

5.2 Contact us using the methods below, including a postal and e-mail address or alternative means of contacting you:

Email: Jon.Power@thecumbrialep.co.uk or

Write to: Jon Power
Head of Business Programmes
Cumbria LEP
Redhills
Penrith
Cumbria
CA11 0DT

5.3 Most complaints usually arise as a result of a misunderstanding and so can usually be resolved upon a first contact basis. We'll aim to provide you a response to your complaint within 10 clear working days of you raising your expression of dissatisfaction. If a complaint is in regards to one of our SDPs we will confirm receipt of the complaint and forward it to the respective SDPs wherein we may notify all parties that the specific SDPs take over all responsibility of responding to the complainant, dependent upon the nature of the complaint.

5.4 If no further correspondence is received from the complainant within 10 clear working days of the response being issued, or if the complainant responds confirming acceptance of the initial outcome, the complaint will be closed as resolved.

5.5 The LEP is aware that the organisation's ordinary complaints procedure may not be suitable if someone wants the complaint to remain confidential. If you would like to make a confidential complaint please submit your complaint to the designated officer below:

jo.lappin@thecumbrialep.co.uk

Jo Lappin
Chief Executive
Cumbria LEP
Redhills
Penrith
Cumbria
CA11 0DT

Please state that you want the complaint to remain confidential.

6. Appeal (Stage 2)

6.1 If you are unhappy with the way your complaint was dealt with, or the outcome that was delivered, please contact:

Email: jo.lappin@thecumbrialep.co.uk

Write to: Jo Lappin
Chief Executive
Cumbria LEP
Redhills
Penrith
Cumbria
CA11 0DT

6.2 The Chief Executive will review your complaint and the initial action taken and advise you of the outcome, in writing, within 30 calendar days.

6.3 If your complaint relates to the Chief Executive, this will be immediately referred to Stage 3. Or if your complaint was confidential and dealt with at Stage 1 by the Chief Executive, this will be referred directly to the Chair.

6.4 Should your complaint refer to the Chair, this will bypass Stage 3 and be referred directly to the Accountable Body's Section 151 Officer.

7. CLEP Board (Stage 3)

7.1 If you are still unhappy following our final response, you can then put your complaint to the Chair of CLEP, by writing to:

Lord Inglewood
Chair
Cumbria LEP
Redhills
Penrith
Cumbria
CA11 0DT

7.2 If still dissatisfied, you should contact the Accountable Body's Section 151 Officer:

Email: Pam.Duke@[cumbria.gov.uk](mailto:Pam.Duke@cumbria.gov.uk)

Write to: Pam Duke
Director of Finance
Resources and Transformation
Cumbria County Council
Cumbria House
117 Botchergate
Carlisle
CA1 1RZ

8. Reporting Complaints to Government

8.1 If you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken, you can report it directly to the Cities and Local Growth Unit in the Department of Levelling Up, Housing and Communities and the Department for Business, Energy and Industrial Strategy, at the following email address:

localgrowthassurance@communities.gov.uk or by writing to:

LEP Compliance Deputy Director
Cities and Local Growth Unit
Fry Block
2 Marsham Street
London
SW1P 4DF

You should clearly mark your email or letter as “Official - complaints”.

APPENDIX I – WHISTLEBLOWING POLICY

1. Introduction

1.1 This procedure outlines the process to follow for a Discloser when reporting a perceived wrongdoing within the Cumbria LEP, including something they believe goes against the core values of Standards in Public Life (the Nolan Principles) and the Code of Conduct for LEP Board Members, Co-Opted members and officers. The Standards in Public Life include the principles of; integrity, objectivity, accountability, openness, honesty, leadership and impartiality.

1.2 In particular LEP Board Members, as the key decision makers of the LEP, have a right and a responsibility to speak up and report behaviour that contravenes these values.

1.3 It is important that this procedure is followed when raising any concerns, to ensure that the matter is dealt with correctly.

2. Definitions

2.1 This policy uses the following definitions:

- **Whistleblowing** - where an individual who has concerns about a danger, risk, contravention of rules or illegality provides useful information to address this. In doing so they are acting in the wider public interest, usually because it threatens others or impacts on public funds. By contrast, a grievance or private complaint is a dispute about the individual's own position and has no or very limited public interest.
- **The LEP** – Cumbria Local Enterprise Partnership
- **Discloser** – this is the person who is the whistle-blower. They might be a Board Member, a Co-Opted Board member, officer, contractor, third party or a member of the public.
- **Relevant Concern** – something the Discloser has been asked to do, or is aware of, which they consider to be wrong-doing and is in the public interest.
- **Responsible Officer** - this is the person, appointed by the LEP, with overall responsibility for maintaining and operating this whistleblowing policy. They will maintain a record of concerns raised and the outcomes (but will do so in a form that does not endanger confidentiality) and will report to senior decision makers as necessary.

3. CLEP's Commitment

3.1 CLEP is committed to creating an organisation with the highest possible standards of openness, probity and accountability. In view of this commitment, we encourage Disclosers with serious concerns about the work of the LEP to come forward and voice their concerns without fear of reprisal.

4. Alternative Relevant Policies

4.1 Disclosers should note that where the concern is one that might fall under the LEP's policies on equality and diversity or harassment and bullying or other policies, they should consider using the reporting mechanisms for those other policies first.

4.2 The LEP has a pre-existing complaints procedure that in many cases will be more appropriate for third parties or members of the public to follow. Third parties or members of the public should review the separate confidential complaints procedure outlined in the LEP's complaints policy website first before going through the whistleblowing process.

4.3 However, if a member of the public or third party believes that their complaint fits the description of a 'relevant concern' as outlined in para 2.1, they may report their concerns through the whistleblowing policy procedure.

5. Raising Your Concern

5.1 If a Discloser experiences something in the workplace which they consider a relevant concern, it is important that the concern is raised as early as possible. Proof is not required at this point – it is for the LEP to investigate. The Discloser must, however, have a reasonable belief that disclosing the information is in the public interest before raising a concern.

5.2 In the first instance your concern should be raised with the Responsible Officer, Jo Lappin, Chief Executive, Cumbria LEP and her contact details are: Email: jo.lappin@thecumbrialep.co.uk or in writing to Jo Lappin, Chief Executive, Cumbria LEP, Redhills, Penrith, Cumbria, CA11 0DT.

5.3 If the concern relates to the Responsible Officer then the concern should be raised with the LEP Chair, Lord Inglewood, Cumbria LEP, Redhills, Penrith, Cumbria, CA11 0DT.

5.4 The Responsible Officer or Chair will inform the Cities and Local Growth Unit of BEIS of any concerns raised under their whistleblowing procedure by emailing: localgrowthassurance@communities.gov.uk

5.5 If the discloser remains unhappy with the way in which the concern has been addressed they can contact the Accountable Body's Director of Finance at

Cumbria County Council by email: Pam.duke@cumbria.gov.uk or in writing to: Pam Duke, Director of Finance, Resources and Transformation, Cumbria County Council, Cumbria House, 117 Botchergate, Carlisle CA1 1RZ

6. Policy Statement

6.1 CLEP acknowledges that Disclosers may often be the first people to realise that there may be something seriously wrong within the organisation.

6.2 This policy aims to:

- Encourage people to feel confident about raising serious concerns and to question and act upon their concerns without fear of victimisation or harassment;
- Provide avenues for Disclosers to raise those concerns and receive feedback on any action taken;
- Allow Disclosers to take the matter further if they are dissatisfied with the LEP's response; **and**
- Reassure all Disclosers, officers in particular who may have specific concerns about their position in the LEP, that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in the public interest.

7. What is a Relevant Concern?

7.1 If a Discloser is asked to do something, or is aware of the actions of another, which they consider to be wrongdoing, they can raise it using this procedure. The Discloser must have a reasonable belief that raising the concern is in the public interest.

7.2 A Discloser may decide to raise a concern under the whistleblowing policy if they are aware of a situation that they feel:

- is against the LEP's procedures and protocols as set out in its code of conduct and individual LEP Assurance Framework;
- falls below established standards of practice the LEP subscribes to
- amounts to improper conduct; or
- is an abuse of power for personal gain.

7.3 The types of matters regarded as a relevant concern for the purpose of this procedure include, but are not limited to, the following:

- Fraud or financial irregularity
- Corruption, bribery or blackmail
- Other criminal offences

- Failure to comply with a legal or regulatory duty or obligation
- Miscarriage of justice
- Endangering the health or safety of any individual
- Endangering the environment
- Improper use of authority and
- Concealment of any of the above

7.4 Disclosers should not raise malicious or vexatious concerns, nor should they raise knowingly untrue concerns. In addition, this procedure should not be used to raise concerns of a HR/personal nature, such as, complaints relating to a management decision or terms and conditions of employment. These matters should be dealt with using the relevant alternative procedure, for example, the LEP grievance procedure. Equally, this policy would not apply to matters of individual conscience where there is no suggestion of wrongdoing by the LEP but, for example, an employee or LEP Board Member is required to act in a way which conflicts with a deeply held personal belief.

8. Safeguards

8.1 The Public Interest Disclosure Act (1998) gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. CLEP believes that no member of staff should be at a disadvantage because they raise a legitimate concern.

8.2 CLEP will not tolerate harassment or victimisation and will take action to protect Disclosers when they raise a concern in the public interest.

9. Handling Your Concern

9.1 All concerns will be treated in confidence and every effort will be made to protect the Discloser's identity if they wish to remain anonymous. However, at the appropriate time, it is possible that the Discloser will need to come forward as a witness for the matter to progress.

9.2 It is important to follow the correct procedure when raising a whistleblowing concern. The following steps should be adhered to:

- a) It is important that the concern is raised with the person best placed to deal with the matter, in most cases this will be the Responsible Officer. However, the Discloser may want to raise the concern with someone they know and trust, such as their line manager who can raise it with the Responsible Officer on their behalf.

- b) If it is suspected that the concern may implicate the line manager in some way, then it could be raised with a more senior manager in the line management chain.
- c) If the Discloser is unable to raise a relevant concern with a line manager or a senior manager or feels that it has not been adequately addressed, it should be raised directly with the Responsible Officer.
- d) Ultimately, the Discloser can raise their concern with the Accountable Body's Director of Finance.

10. Information Needed to Raise a Concern

10.1 When raising a concern under the procedure, the Discloser should try to provide the following information:

- The background and reason behind the concern;
- Whether they have already raised a concern with anyone and the response; and
- Any relevant dates when actions related to the concern took place.

10.2 This information should demonstrate that there are reasonable grounds for the concern to be acted upon. It is important that matters are not investigated by the Discloser themselves.

10.3 If applicable, personal interests must be declared from the outset.

11. What You Can Expect

11.1 All investigations will be conducted sensitively and as quickly as possible. While the LEP cannot guarantee that the outcome will be as the Discloser may wish, it will handle the matter fairly and in accordance with this procedure.

11.2 Once a concern has been raised with either the line manager or Responsible Officer, Senior Manager or Chief Executive, a meeting may be arranged with them to determine how the concern should be taken forward.

11.3 The LEP may decide to take the matter forward by a number of methods, including:

- An internal inquiry or other formal investigation
- An internal or external audit
- Referring the matter to the police
- Referring the matter to another relevant authority for investigation

11.4 Before a final decision is taken on how to proceed, or as part of the investigation, the Discloser may be asked to meet with those investigating their allegation.

11.5 If a meeting is arranged, the Discloser may wish to be accompanied by a trade union representative, colleague or friend. The person who accompanies the Discloser should not be involved or have a direct interest in the area of work to which the concern relates. The meeting can be conducted over the telephone rather than face to face.

11.6 Within 10 clear working days of a concern being raised, the LEP's Responsible Officer will write to the Discloser to:

- Acknowledge that the concern has been received;
- Indicate how they propose to deal with the matter;
- Give an estimate of how long it will take to provide a final response;
- Tell the Discloser whether any initial investigation or enquiry has been made;
- Tell the Discloser whether further investigation will be made, and if not, why not;
- Tell the Discloser how frequently the LEP will keep them up to date on progress of the investigation.

11.7 The amount of contact between the LEP and the Discloser concerned will vary depending on the concern raised, any difficult issues and any further clarity required. If necessary, the LEP will seek further information from the Discloser.

11.8 The LEP will confirm when the matter is concluded and, if appropriate, the outcome of the investigation, maintaining security and confidentiality for all parties as far as possible.

11.9 Throughout any investigation, the Discloser will still be expected to continue their duties/role as normal unless deemed inappropriate.

12. Confidentiality and Anonymity

12.1 CLEP always encourages potential Disclosers to speak up about potential serious wrongdoing in a way that they feel comfortable. The best way to raise a concern is to do so openly, as this makes it easier for the LEP to investigate and provide feedback.

12.2 Any disclosures made under this procedure will be treated in a sensitive manner. However, the LEP recognises that the Discloser may want to raise a concern in confidence, i.e. they may want to raise a concern on the basis that their name is not revealed without their consent.

12.3 CLEP will respect any request for confidentiality as far as possible, restricting it to a 'need to know' basis. However, if the situation arises where it is not possible to resolve the concern without revealing the Discloser (for example in matters of criminal law), the LEP will advise them before proceeding. The same considerations of confidentiality should be afforded to the recipient(s) at the centre of the concern, as far as appropriate.

12.4 Disclosers may choose to raise concerns anonymously, i.e. without providing their name at all. If this is the case, the investigation itself may serve to reveal the source of information. Disclosers are therefore encouraged, where possible to put their names to concerns raised.

12.5 When anonymous concerns are raised, they will be treated as credible and investigated so far as possible.

13. Protection

13.1 If a concern is raised in the reasonable belief that it is in the public interest and procedures have been followed correctly, the Discloser raising the concern will be protected by the terms of this policy and, where applicable, by whistleblowing legislation (see gov.uk for more information on who is covered by whistleblowing legislation). Where a Discloser has been victimised for raising a concern, the LEP concerned will take appropriate action against those responsible, in line with the LEP's disciplinary policy and procedures.

14. Changes to Procedures or Policies as a Result of Whistleblowing

14.1 If changes are made to LEP policies and processes as result of whistleblowing investigations, the LEP will publicise the changes as appropriate, taking into consideration the importance of protecting the anonymity and confidentiality of individuals.

15. Untrue Allegations

15.1 If a Discloser makes an allegation but it is not confirmed by the investigation, no action will be taken against them. However, if a malicious or vexatious allegation is made without good reason to cause trouble, for personal gain, or to discredit the LEP, an investigation may take place. Where the Discloser is an officer or a LEP Board Member or a contractor this may result in disciplinary or other action if they have broken the terms of their employment, acted against the LEP Code of Conduct or broken a clause in a contract.

16. How This Matter Can be Taken Forward If You Are Not Satisfied

16.1 This procedure is intended to provide Disclosers with an avenue to raise legitimate concerns. If you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken you can report it directly to the Cities and Local Growth Unit in the Department of levelling Up, Housing and Communities and the Department for Business Energy and Industrial Strategy, at the following email address: localgrowthassurance@communities.gov.uk or by writing to: LEP Compliance Deputy Director, Cities and Local Growth Unit, Fry Block, 2 Marsham Street, London, SW1P 4DF. You should clearly mark your email or letter as "Official - Whistleblowing".

16.2 In addition, if you are either unable to raise the matter with the LEP or you are dissatisfied with the action taken you may consider raising it with:

- The LEP's Accountable Body
- The Police
- The relevant regulatory body or professional body
- Your Trade Union
- Your solicitor
- Your Citizens Advice Bureau
- A prescribed person or body

Further information and signposting for potential Disclosers is available on www.gov.uk.

16.3 If a Discloser does take the matter outside the LEP, to an external body, they should ensure they do not disclose information that is confidential, for example, if you are an employee your contract of employment may set out expectations of your regarding what is confidential.

17. Feedback on Whistleblowing Policy

17.1 Any feedback or comments on this policy should be directed to the LEP's Responsible Officer.

APPENDIX J - DATA PROTECTION AND PRIVACY POLICY

1. Introduction

1.1 Cumbria Local Enterprise Partnership ("CLEP") works in partnership with the private, public and voluntary and community sectors to deliver growth, productivity and prosperity for its businesses, people and places. Our work with partners and government means that we collect and use information about individuals whom we work or come into contact with.

1.2 CLEP strives to meet the highest standards when collecting and using personal information in accordance with data protection law. This privacy notice sets out how we handle your personal data and how we comply with the requirements of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 when we are acting as a controller (see below). It applies to information we collect as a controller in relation to:

- Users of our website;
- People who use or request our services;
- Employees or representatives of organisations who use our services, apply for funding, business support or grants or supply us with goods or services;
- People who contact us via any medium (e.g. by post, email, telephone or social media); and
- Applicants for employment or positions on the CLEP board.

2. Important information and who we are

Controller and contact information

2.1 CLEP is a controller and is responsible for your personal data where we determine the purposes for which we process personal data and how we process that data.

2.2 CLEP is the controller and is responsible for this website.

2.3 CLEP's Accountable Body is Cumbria County Council ("the Council"), which is also a controller for the purpose of the GDPR and Data Protection Act 2018. CLEP's relationship with the Council is governed by agreements, details of which can be found in the Local Assurance Framework available at <http://www.thecumbrialep.co.uk> Where CLEP is providing services on behalf of the Council in accordance with the Local Assurance Framework or otherwise, the Council will be the controller and we will be acting as processor of personal data on its behalf. A copy of the Council's privacy notice can be viewed at <https://www.cumbria.gov.uk/admin/privacy.asp>. The Council has a Data Protection Officer (DPO), who can be contacted via dataprotection@cumbria.gov.uk or in

writing at Data Protection Office, Information Governance Team, Cumbria County Council, Cumbria House, 117 Botchergate, Carlisle CA1 1RD.

2.4 If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact Corinne Watson by emailing Jen Hewitt by post at Cumbria Local Enterprise Partnership, Redhills, Penrith, Cumbria CA11 0DT.

2.5 It is important that you read this notice, together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you as a controller, so that you are aware of how and why we are using such information. This privacy notice supplements the other notices and is not intended to override them.

3. Complaints

3.1 You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

4. Changes to the privacy notice and your duty to inform us of changes

4.1 We reserve the right to update this privacy notice at any time.

4.2 It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

5. Third-party links

5.1 This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy notice of every website you visit.

6. The data we collect about you

6.1 Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

6.2 We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes name, username or similar identifier, marital status, title, date of birth and gender.
- **Contact Data** includes address, email address and telephone numbers.
- **Financial Data** includes bank details.
- **Transaction Data** includes details about payments to and from you and other details of products or services we have purchased from you or you have procured from us.
- **Technical Data** includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your interests, social media accounts, preferences, feedback, any survey responses or information that you may input into our website using contact us forms, message boards or pinboards.
- **Usage Data** includes information about how you use our website, products and services.
- **Marketing and Communications Data** includes your preferences in receiving marketing from us and third parties and your communication preferences.
- **Recruitment Data** please see the section on Recruitment (below).

6.3 We do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data), save for as set out in the Recruitment section below where relevant. Nor do we collect any information about criminal convictions and offences save for as set out in the Recruitment section below where relevant.

7. Recruitment

7.1 If applying for a job with us (including as a member of the Board), we may collect and process the following personal data about you as part of the recruitment process:

- your name, title, address and contact details, including personal email address and telephone number, date of birth and gender;
- details of your qualifications, skills, experience and employment history, including start and end dates, with previous employers;
- recruitment information including any CV, cover letter or other personal data provided to us as part of your application for work;
- information about your current level of remuneration, including benefit entitlements;

- whether or not you have a disability for which the company needs to make reasonable adjustments during the recruitment process;
- information about your entitlement to work in the UK, including copies of any documents evidencing such right; and
- copy of your driving licence.

7.2 We may also collect, store and use the following "special categories" of more sensitive personal information, in order to monitor our performance on equality and diversity:

- Information about your race or ethnicity, religious beliefs, sexual orientation and political opinions
- Information about your health, including any medical condition, health and sickness records
- Information about criminal convictions and offences

8. If you fail to provide personal data

8.1 Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide services or employ you). In this case, we may have to cancel a service you have with us but we will notify you if this is the case at the time.

9. How is your personal data collected?

9.1 We use different methods to collect data from and about you including through:

- Direct interactions. You may give us your personal data by filling in forms or by corresponding with us by post, phone, email, this website or otherwise. This includes personal data you provide when you:
 - negotiate with us for our services or for projects or tenders;
 - request information to be sent to you;
 - interact with us about business activities, including completing surveys or market research conducted by us;
 - attend events or workshops and provide details on registers;
 - post comments on any messageboard or pinboard contained in any part of this website;
 - apply for a job; or
 - provide us with feedback.
- Automated technologies or interactions. As you interact with our website, we may automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server

logs and other similar technologies. Please see our cookies policy at <http://www.thecumbrialep.co.uk/cookie-policy/> for more information.

- Third parties or publicly available sources. We may receive personal data about you from various third parties as set out below:
 - Technical Data from search engines and analytics providers.
 - Contact, Financial and Transaction Data from providers of technical, payment and delivery services.
 - Identity and Contact Data from publicly available sources, other organisations or government bodies.
 - Information from employers (where we are conducting business with your employer or you are applying for a job with us) and former employers (where you are applying for a job with us).
 - Information from recruitment agencies.
 - Information from the businesses we work with.

10. How we use your personal data

10.1 We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party), by which we mean in the interest of our CLEP's business in conducting and managing our business to provide a strategic lead on activities contributing to the county's economic growth. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.
- Where we need to comply with a legal or regulatory obligation that we are subject to. Generally, we do not rely on consent as a legal basis for processing your personal data other than in relation to sending third party direct marketing communications to you via email. You have the right to withdraw consent to marketing at any time by contacting us via any of the methods referred to above.

11. Purposes for which we will use your personal data

11.1 We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

11.2 Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below:

Purpose/Activity	Type of data	Lawful basis for processing
To process and deliver our services	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract (b) Necessary for our legitimate interests
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) providing you with other relevant information (c) deliver our objectives and understand your needs (d) keeping our records up to date (e) obtain your opinions about the work we undertake	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract (b) Necessary to comply with legal obligations (c) Necessary for our legitimate interests

Purpose/Activity	Type of data	Lawful basis for processing
To administer and protect CLEP and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (b) Necessary to comply with legal obligations
To use data analytics to improve our website, products/services, marketing, relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests
To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile	Necessary for our legitimate interests
To make decisions about recruiting staff and board members, including: (a) Making a decision about your recruitment or appointment (b) Determining the terms on which you work for us (c) Checking you are legally entitled to work for us (d) Assessing qualifications, skills or suitability for a particular job	(a) Recruitment	(a) Necessary for our legitimate interests (b) Performance of a contract with you (c) Necessary to comply with legal obligations

Purpose/Activity	Type of data	Lawful basis for processing
(e) Communicating with you about the recruitment process (f) Dealing with legal disputes involving you (g) Keeping records relating to our recruitment process (h) Ascertaining your fitness to work or attend assessments (i) Equal opportunities monitoring		

12. Marketing

12.1 We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you as part of our strategic objectives. This is how we decide which services or funding may be relevant for you.

12.2 You will receive such marketing communications from us if you have requested information from us or contracted with us for services or funding and, in each case, you have not opted out of receiving such marketing communications.

13. Opting out

13.1 You can ask us to stop sending you any marketing messages (or specific types or messages) by contacting us at any time and asking us to stop.

14. Change of purpose

14.1 We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

14.2 Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

15. Disclosures of your personal data

15.1 We may have to share your personal data with the parties set out below for the purposes set out in the table above.

- Our employees and board members.
- Employees of the Council and other public authorities who have a member on our board.
- Consultants and subcontractors.
- Professional advisers including lawyers, bankers, auditors and insurers.
- Suppliers of goods and services to us.
- Customers.
- HM Revenue & Customs, regulators and other authorities based in the EU and outside the EU who require reporting of processing activities in certain circumstances.

15.2 We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party processors to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

16. International transfers

16.1 We will not share your personal data with any organisations outside the European Economic Area (**EEA**). If this changes, we will notify you and explain the safeguards which are in place to ensure the security of your personal data.

17. Data security

17.1 We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, board members, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

17.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

18. How long will you use my personal data for?

18.1 We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, regulatory or reporting requirements.

18.2 To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements.

18.3 In some circumstances we may anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

19. Your legal rights

19.1 You have the right to:

- Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have

compelling legitimate grounds to process your information which override your rights and freedoms.

- Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

19.2 If you wish to exercise any of the rights set out above, please contact us.

20. No fee usually required

20.1 You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

21. What we may need from you

21.1 We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

22. Time limit to respond

22.1 We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated but comply in any event within 3 months of receiving your request (or any further information requested from you).

23. User-generated content

23.1 We may from time to time provide interactive services on our site, including message boards and pinboards.

23.2 We will do our best to assess any possible risks for users from third parties when they use any interactive service provided on our site, and we will decide in each case whether it is appropriate to use moderation of the relevant service (including what kind of moderation to use) in the light of those risks. However, we are under no obligation to oversee, monitor or moderate any interactive service we provide on our site, and we expressly exclude our liability for any loss or damage arising from the use of any interactive service by a user in contravention of our content standards (see below), whether the service is moderated or not.

23.3 When posting anything to our website that will be viewable by other third parties, any posts must:

- Be accurate (where it states facts);
- Be genuinely held (where it states opinions);
- Comply with the law applicable in England and Wales and in any country from which it is posted.

23.4 Any posts must not:

- Be defamatory;
- Be obscene, offensive, hateful or inflammatory;
- Promote sexually explicit material;
- Promote violence;
- Promote discrimination based on race, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, religion or belief, disability, sexual orientation or age;
- Infringe any copyright, database right or trade mark;
- Be likely to deceive any person;
- Breach any legal duty owed to a third party, such as a contractual duty or a duty of confidence;
- Promote any illegal activity;
- Be in contempt of court;
- Be threatening, abuse or invade another's privacy, or cause annoyance, inconvenience or needless anxiety;
- Be likely to harass, upset, embarrass, alarm or annoy any other person;
- Impersonate any person nor misrepresent your identity or affiliation with any person;
- Give the impression that the post represents the views of CLEP, if this is not the case;

- Advocate, promote, incite any party to commit, or assist any unlawful or criminal act such as (by way of example only) copyright infringement or computer misuse;
- Contain a statement which you know or believe, or have reasonable grounds for believing, that members of the public to whom the statement is, or is to be, published are likely to understand as a direct or indirect encouragement or other inducement to the commission, preparation or instigation of acts of terrorism;
- Contain any advertising or promote any services or web links to other sites.

23.5 If you wish to complain about information and materials uploaded by other users please contact us using the details above.

23.6 Whenever you make use of a feature that allows you to upload content to our site, or to make contact with other users of our site, you must comply with the content standards set out above. You warrant that any such contribution complies with those standards, and you will be liable to us and indemnify us for any breach of that warranty. This means you will be responsible for any loss or damage we suffer as a result of your breach of warranty.

23.7 Any content you upload to our site will be considered non-confidential and non-proprietary. You retain all of your ownership rights in your content, but you are required to grant us and other users of our site a limited licence to use, store and copy that content and to distribute and make it available to third parties.

23.8 We also have the right to disclose your identity to any third party who is claiming that any content posted or uploaded by you to our site constitutes a violation of their intellectual property rights, or of their right to privacy.

23.9 We have the right to remove any posting you make on our site.

APPENDIX K – EQUALITY, DIVERSITY AND INCLUSION POLICY

1. The Role of the Cumbria Local Enterprise Partnership (CLEP)

1.1 Cumbria Local Enterprise Partnership is one of 38 LEPs in England. They are playing a vital role in driving forward economic growth. By 2021 Government will have invested over £12bn through the Local Growth Fund, allowing LEPs to use their local knowledge to get all areas of the country maximising their potential.

1.2 LEPs are business-led partnerships between local authorities and the private sector, whose role is to determine local economic priorities and undertake activities to drive economic growth and the creation of jobs. Each LEP bids to government for funding for projects that meet the LEP's strategic priorities and will accelerate economic growth in their area.

1.3 A fundamental part of the work undertaken by CLEP is to promote equality, diversity and inclusion in all of its work. This includes ensuring that it takes a zero-tolerance approach to discrimination or harassment of any kind, together with the active promotion of work and services to all organisations and individuals, regardless of any protected characteristics they may have (see section three).

2. Policy Scope and Intent

2.1 This policy outlines CLEP's:

- Commitment to equality, diversity and inclusion;
- Legal duties under the 2010 Equality Act in employment, facilities, goods and services in its interactions with all stakeholders, both internal and external;
- General equality duty to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity between people from different groups; and to foster good relations between people from different groups.

2.2 All those representing CLEP, as either a non-executive or executive officer, are expected to ensure that they comply with the principles of this policy. CLEP will strive to ensure that the LEP has a positive working atmosphere where no member of staff, secondee, volunteer or client is the subject of any form of discrimination or harassment and is welcome in an inclusive environment.

2.3 This policy has direct implications for all other CLEP policies. CLEP believes that creating and embedding a culture of equality, diversity and inclusion is one crucial strand of its approach to overall quality improvement and is pivotal to all activities undertaken by CLEP.

3. Policy Statement

3.1 CLEP aims to go beyond compliance with equality legislation. It aspires to be a champion of best practice in all aspects of equality, diversity and inclusion, and seeks to create an inclusive environment where all can operate fairly and equally. It is therefore fully committed to delivering on the gender equality target for Board membership, with equal Board representation by 2023 and is committed to attracting Board members with protected characteristics.

3.2 This Equality, Diversity and Inclusion Policy reflects the harmonised and strengthened content and requirements of the Equality Act (2010) and CLEP's further statutory responsibilities under the Public Sector Equality Duty.

3.3 The Act identifies nine Protected Characteristics. These are:

- (i) **Age** - older people, younger people, people of any age group;
- (ii) **Disability** - physical or sensory impairments, mental health disability, some long term medical conditions, aspects of learning difficulties, neuro-diverse conditions such as dyslexia, autism, Tourette's or ADHD;
- (iii) **Gender reassignment** - transsexual people, transgender people;
- (iv) **Marriage and civil partnerships** - a person who is married, a person who is a civil partner;
- (v) **Pregnancy and maternity** - pregnant women, women on maternity leave, women who have recently given birth;
- (vi) **Race** – colour, nationality, ethnic or national backgrounds, heritage;
- (vii) **Religion or belief** - any religion or lack of religion, any religious or philosophical belief or lack of belief;
- (viii) **Sex** - women and men – gender;
- (ix) **Sexual orientation** - gay and lesbian people, bisexual people, heterosexual people.

3.4 All nine protected characteristics are covered with regards to employment and CLEP extends this to all those representing CLEP, as either a Non-Executive or Executive.

3.5 The Act defines the following types of illegality and the policy recognises these:

- Direct discrimination, including by association (e.g. carer) and perception;
- Indirect discrimination;
- Harassment;
- Victimisation;
- Discrimination arising from a disability;
- Failure to make reasonable adjustments.

3.6 This policy outlines how CLEP intends to fulfil its General Public Sector Duty to give due regard to:

- Eliminating discrimination, harassment and victimisation;
- Advancing equality of opportunity between those who share a relevant protected characteristic and those who do not;
- Fostering good relations between those who share a relevant protected characteristic and those who do not.

4. Involving stakeholders

4.1 Equality of opportunity and inclusion is at the heart of the CLEP ethos and it will seek to make consultation accessible as far as is practicable.

4.2 Consultation on the development and implementation of the Equality, Diversity and Inclusion Policy will involve individuals and groups as well as the formal groups and committees of CLEP.

5. Recruitment and Selection

5.1 Recruitment, promotion and other selection exercises such as redundancy selection will be conducted on the basis of merit, against objective criteria that avoid discrimination. Shortlisting will be done by more than one person.

5.2 Vacancies will generally be advertised to a diverse section of the labour market. Advertisements will avoid stereotyping or using wording that may discourage particular groups from applying. These will include a short policy statement on equal opportunities and a copy of this policy will be made available on request.

5.3 Job applicants will not be asked questions which might suggest an intention to discriminate on grounds of a Protected Characteristic. For example, applicants will not be asked whether they are pregnant or planning to have children.

6. Training and Promotion

6.1 Decisions on training, promotion and other employment matters will be based on organisational need and non-discriminatory procedures.

7. Disabilities

7.1 If you are disabled or become disabled, we encourage you to tell us about your condition so that we can consider what reasonable adjustments or support may be appropriate.

8. Non-Compliance

8.1 If you believe that you have suffered discrimination you can raise the matter through our Grievance Procedure. Complaints will be treated in confidence and investigated as appropriate.

8.2 You must not be victimised or retaliated against for complaining about discrimination. However, an employee making a false allegation deliberately and in bad faith may be treated as misconduct and dealt with under our Disciplinary Procedure.

8.3 Any representative of CLEP who breaches this policy may be subject to investigation and subsequent disciplinary action which, in the case of employees, may be found to be gross misconduct which may lead to dismissal. Board members will be subject to the procedures outlined in the Code of Conduct/Conflict of Interest policy.

9. Review

9.1 CLEP will review this policy and any procedures arising from it in the light of changes to legislation, case law or other guidance issued or, in the absence of such changes, at intervals of no less than three years.

10. Reporting

10.1 The CLEP Board Diversity Champion will be responsible for producing an annual monitoring report which identifies progress made. This will ordinarily be produced for the May Board or the nearest meeting to this.

APPENDIX L – FREEDOM OF INFORMATION POLICY

1. Introduction

1.1 The Freedom of Information Act was fully implemented in January 2005 and is intended to provide greater access to all types of recorded information and impose obligations to disclose information, subject to a range of exemptions. CLEP is not explicitly covered by the Act but will act as if it were and respond in line with this.

1.2 This policy ensures the easy, appropriate and timely retrieval of information and the framework through which this effective management can be achieved and audited.

2. Scope

2.1 The implementation of this policy applies to all recorded information held by Cumbria Local Enterprise Partnership (CLEP). The purpose of the policy is to ensure that the provisions of the Freedom of Information Act are adhered to and in particular that:

- any appropriate published information about the LEP is made available to the public as a matter of course through the Publication Scheme;
- other appropriate information not included in the Publication Scheme is available on request and such a request is dealt with in a timely manner (refer to Section 4 for details); and
- in cases where information is covered by an exemption, consideration is given as to whether or not the information should be released.

3. Relationship with Existing Policies and Legislation

3.1 This policy has been developed and will be implemented within the context of other CLEP policies, procedures and national legislation.

4. Publication Scheme

4.1 As good practice CLEP has produced a Publication Scheme which sets out what information it would release as a matter of course and whether or not this information will be made available free of charge or on payment of a fee.

4.2 The Publication Scheme below specifies the classes of information available from CLEP upon request:

- Organisational information
- Financial information –project expenditure, tendering and procurement and contracts
- Strategy and development
- Internal criteria, policies and procedures
- Media releases

5. Specific Requests for Information

5.1 Information not already made available in CLEP's Publication Scheme will be accessible through a specific request for information. The Freedom of Information Act establishes two related rights:

- the right to be told whether information exists, and
- the right to receive the information (subject to exemptions)

5.2 These rights can be exercised by anyone worldwide. Specific requests for information not listed in the Publication Scheme will be dealt with by Jon Power.

5.3 Any request must be made in a permanent form (for example in writing or by email) and a charge may be made for dealing with any request. Requestors will not be entitled to information to which any of the exemptions in the Act applies. However, only those specific pieces of information to which the exemption applies will be withheld, and information covered by an exemption will be subject to review by the Chief Executive.

5.4 The LEP must respond to any request within 20 working days although further reasonable details can be requested in order to identify and locate the information. If a fee is required, the period of 20 working days is extended by up to 3 months until the fee is paid.

6. Charges

6.1 Unless otherwise specified information made available through the LEP's Publication Scheme will be free of charge, although CLEP reserves the right to charge an appropriate fee for dealing with a specific request for information not listed in the Publication Scheme in accordance with the Act.

7. Complaints

7.1 LEP will coordinate any complaints received in respect of this policy. The complaint should be addressed to Jon Power in the first instance. The complaint will be acknowledged immediately and every reasonable effort will be made to offer a more comprehensive reply within 21 days.

7.2 If the applicant is not satisfied with the reply, then they should inform Jon Power within 21 days. The complaint will then be forwarded to the Chief Executive and will be dealt with in accordance with LEP's Complaints Procedure.

7.3 If applicants are dissatisfied with the outcome of the Complaints Procedure, they may seek an independent review from the Information Commissioner. Requests for review by the Information Commissioner should be made in writing to:

The Information Commissioner
Wycliffe House
Water Lane

Wilmslow
Cheshire
SK9 5AF

8. Exemptions

- 8.1 CLEP reserves the right to withhold information if an exception applies.

APPENDIX M – MEMORANDUM OF AGREEMENT

MEMORANDUM OF AGREEMENT

DATED

between

Cumbria Local Enterprise Partnership Limited

and

Cumbria County Council

Contents

1.	DEFINITIONS	224
2.	INTERPRETATION	225
3.	COMMENCEMENT AND DURATION	226
4.	PRINCIPLES OF THE RELATIONSHIP BETWEEN THE COUNCIL AS ACCOUNTABLE BODY AND THE LEP	226
5.	COST RECOVERY	227
6.	RESPONSIBILITIES OF THE COUNCIL	227
7.	THE RESPONSIBILITIES OF THE LEP	229
8.	PUBLICITY AND MEDIA	231
9.	CONFIDENTIALITY	231
10.	FREEDOM OF INFORMATION AND DATA PROTECTION	233
11.	INTELLECTUAL PROPERTY	233
12.	FRAUD AND OTHER SERIOUS CONCERNS	233
13.	CHANGES TO THIS AGREEMENT	233
14.	TERMINATION	234
15.	CONSEQUENCES OF TERMINATION	234
16.	DISPUTE RESOLUTION	234
17.	WAIVER	235
18.	SEVERENCE OF CLAUSES	235
19.	DELAY IN CARRYING OUT OBLIGATIONS	235
20.	CONTRACTS (RIGHTS OF THIRD PARTIES ACT) 1999	235
21.	ASSIGNMENT	235
22.	NOTICE AND NOTIFICATIONS	236
23.	GOVERNING LAW AND JURISDICTION	236

THIS MEMORANDUM OF AGREEMENT is dated the

BETWEEN

(1) CUMBRIA LOCAL ENTERPRISE PARTNERSHIP LIMITED incorporated and registered in England and Wales with company number (11730398) whose registered office is at Redhills, Penrith, Cumbria, CA11 0DT ("the LEP"); and

(2) CUMBRIA COUNTY COUNCIL having its main office at Cumbria House, 117 Botchergate, Carlisle, Cumbria, CA1 1RD ("the Council").

individually a "Party" and collectively the "Parties".

BACKGROUND

- (A) The LEP was established in 2011 with a remit from HM Government of setting the strategic direction to support economic development in Cumbria. Nationally, Local Enterprise Partnerships are required to have a Local Industrial Strategy that sets the economic strategy for their area.
- (B) On the 17th day of December 2018 Cumbria LEP became a legal entity in its own right when it was incorporated as a company, in line with HM Government policy, as set out in the document "Strengthened Local Enterprise Partnerships" published by the Ministry of Housing Communities and Local Government in July 2018 ("the Policy").
- (C) The Policy also required Local Enterprise Partnerships to have a single accountable body for their activities. On 20th December 2018, the Council agreed to act as the Accountable Body for the Cumbria LEP. This Agreement governs the relationship between the Council as Accountable Body and the LEP.
- (D) The LEP is required to maintain a Local Assurance Framework ("LAF"), setting out its governance arrangements. The LAF must comply with the National Framework and such other relevant HM Government guidance as is issued from time to time. Within the National Framework and the LAF, the Section 151 Officer of the Accountable Body is responsible for overseeing the administration of the LEP's financial affairs.

1. DEFINITIONS

The following terms shall bear the respective meanings hereby attributed to them, namely:

"Accountable Body" shall mean Cumbria County Council when it is acting as accountable body for the purposes of managing and administering LEP funding and including all of the Grant Funded Projects.

“Accountable Body Costs”	shall mean the sum per annum to cover the Council's reasonable costs to include staffing and other costs associated with acting as Accountable Body. In 2019/2020 this sum will be £150,000.00.
“Agreement”	shall mean this Memorandum of Agreement.
"Authorised Officer"	shall mean those officers who are respectively authorised and nominated by each of the Parties to this Agreement to act on their behalf within this Agreement.
"Commencement Date"	shall mean the day of 1 st April 2019.
“Confidential Information”	any information relating to either Party, its personnel, suppliers, current or projected financial or trading situations, business plans, business strategies, developments, properties and all other information relating to their respective business affairs including any trade secrets, know-how and any information of a confidential nature imparted by either Party to the other during the term of this Agreement, whether existing in hard copy form, in electronic form or otherwise, and whether disclosed orally or in writing.
"Funding Recipient "	shall mean an organisation which has been awarded LEP funding and which will be administered by the Accountable Body to include accompanying terms and conditions of the LEP funding.
"Grant Funded Project"	shall specifically refer to a project which is undertaken and for which LEP funding has been approved.
“Programme Funding”	shall mean the total amount of funding received from HM Government to deliver a programme of activity and projects.
“Revenue Funding”	shall mean funding received for the operational and capacity activities of the LEP.

2. INTERPRETATION

The following shall apply in interpretation of this Agreement:

2.1 The headings contained in this Agreement are for reference purposes only and shall not be deemed to be any indication of the meaning of the clauses to which they relate.

2.2 In this Agreement where the context so demands words importing the singular shall include the plural and vice versa and words importing the masculine gender shall include the feminine gender and vice versa and words importing person and all references to person shall include corporations and unincorporated corporations.

2.3 Any reference in this Agreement to a statute shall where the context so demands include a reference to any regulations, orders, byelaws or other subordinate legislation made under such statute and shall unless expressly stated to the contrary include any statutory extension or modification, amendment or re-enactment of that statute or any subordinate legislation made thereunder.

3. COMMENCEMENT AND DURATION

3.1 This Agreement will commence on the Commencement Date and will continue in effect until it is terminated by either Party in accordance with clause 14 or otherwise lawfully terminated.

4. PRINCIPLES OF THE RELATIONSHIP BETWEEN THE COUNCIL AS ACCOUNTABLE BODY AND THE LEP

4.1 The Parties agree that the LEP's governance will at all times be underpinned by a relationship of mutual support between the Council and the LEP, and a culture of transparency, accountability and adherence to principles of good governance.

4.2 This relationship will include respect for the role of the Section 151 Officer and any Authorised Officer in overseeing the financial affairs of the LEP, including ensuring that appropriate procedures are in place for proper and effective governance, financial rigour, scrutiny and where appropriate, audit.

4.3 The Council and the LEP will ensure that the Section 151 Officer is sufficiently resourced to carry out this role in respect of the LEP.

4.5 The LEP agrees that the Board Member appointed to the LEP Board by the Council shall hold the office of Vice Chair during such time that the Council is acting as Accountable Body.

4.6 Each Party agrees to fully co-operate with the other at all times and to provide information reasonably requested by the other Party within all reasonable timescales specified by the Party and in particular they mutually agree resolutions to any disputes.

5. COST RECOVERY

5.1 It is hereby agreed by the Parties that the Council is entitled to recover its costs of acting as Accountable Body on behalf of the LEP.

5.2 The Council is entitled to be paid the Accountable Body Costs which shall be deducted by the Council from the Revenue Funding received from HM Government before payment of the Revenue Funding to the LEP.

5.3 The Council will review its Accountable Body Costs annually and will provide information about the proposed sum and the basis of calculation in writing to the LEP by the 31st of January 2019. The Accountable Body Costs must be agreed annually in writing by the Parties by 31st March each year for the following financial year.

5.4 It has also been agreed between the Parties that they will review the Accountable Body Costs each time that the LEP is awarded new funding and agree a figure that will cover the Council's reasonable costs.

6. RESPONSIBILITIES OF THE COUNCIL

6.1 Following receipt from HM Government and deduction of the Accountable Body Costs, the Council will transfer annually to the LEP the Revenue Funding for LEP's core and strategic activity. The Council shall not be required to transfer any funding to the LEP if the Accountable Body Costs have not been agreed in accordance with this Agreement. The Council will at all times use its best endeavours to agree the Accountable Body Costs with the LEP and only after careful consideration would it consider not transferring any of the funding.

6.2 The Council will retain all Programme Funding provided by HM Government for the delivery of LEP programmes (such as the Growth Deal and Cumbria Infrastructure Fund capital funding) and subject to the terms of this Agreement will invest such funding as directed by the LEP. The Programme Funding will be held in a separate Cumbria County Council ledger, in line with government guidance.

6.3 Following the end of each financial year (beginning with the end of the financial year 2019/2020) the Council will transfer to the LEP any interest (calculated at the Council average interest rate achieved over the previous financial year) accrued during that financial year on the Growth Deal and Cumbria Infrastructure Fund monies held by the Council.

6.4 The Council will transfer (as a one off payment of £336,000 on 1 April 2019) the Cumbria Infrastructure Fund revenue funding held by the Council. The LEP must hold this sum as a reserve and must not spend it without the prior written agreement of the Council, which will not be unreasonably withheld.

6.5 The Council will be entitled to require the LEP to pay to the Council from this sum the redundancy costs of any employee of the Council seconded to the LEP in the event of the redundancy of that employee.

6.6 The Council will prepare and enter into written funding agreements on appropriate terms and conditions with Funding Recipients for the delivery of LEP funded activities.

6.7 The Council will process the payment of claims for funding and in conjunction with the LEP will monitor Funding Recipients' financial and general compliance with the funding terms and conditions.

6.8 The Council will in appropriate cases where it would be legally justifiable to do so and in order to protect public funds terminate offers of funding or funding agreements and take all action as it deems appropriate following consultation with the LEP to recover funding paid to a Funding Recipient.

6.9 The Council will monitor Funding Recipients' compliance with funding agreements and will provide reports at agreed intervals to the LEP Board.

6.10 The Council will oversee the proper administration of the financial affairs of the LEP to ensure that funding provided by HM Government is spent in accordance with public sector expenditure regulations and guidance.

6.11 The Council will maintain procedures and will ensure that the LEP maintains appropriate procedures that are satisfactory and are approved by the Section 151 Officer, to consider the financial and legal implications of decisions during the decision making process.

6.12 The Council will provide an annual assurance statement on its work for the LEP over the preceding 12 months, including its opinion and any specific issues of concern about the LEP's governance and transparency, as part of the LEP's Annual Performance Review with HM Government.

6.13 The Council will support the LEP to identify staff training needs, to ensure that all LEP Board members and staff understand the LEP's governance and financial control arrangements.

6.14 The Council will ensure that the LEP has in place correct financial procedures that are satisfactory and are approved by the Section 151 Officer leading up to decisions of the Board and other LEP decision makers.

6.15 The Council will make recommendations for improvement where any concerns about the governance or financial administration of the LEP have been identified. The LEP must prepare an action plan to address any areas requiring improvement.

6.16 The Section 151 Officer and the Council's Monitoring Officer are both entitled to record an opinion on the financial implications and assessment of risk on any LEP Board paper that includes any LEP funded programme or Grant Funded Projects for which the Council is the Accountable Body.

6.17 The Council reserves the right not to implement any request or decision of the LEP if in the reasonable view of the Section 151 Officer and/ or the Monitoring Officer, the request or decision presents an unacceptable legal or financial risk to the Council.

7. THE RESPONSIBILITIES OF THE LEP

7.1 The LEP will prepare, review and maintain, in consultation with key stakeholders including the Council, plans and strategies (including the Local Industrial Strategy) to secure Programme Funding and provide strategic direction for the investment of Programme Funding to support the Cumbrian economy.

7.2 The LEP will prepare their annual revenue budget and seek approval, not to be unreasonably withheld of the Council prior to seeking approval of the LEP Board all of which must occur prior to the commencement of the financial year to which the budget relates.

7.3 The LEP will manage the delivery of Programme Funding and will report any issues of concern arising in relation to a Grant Funded Project or an individual funding agreement within the programme promptly to the Council.

7.4 The LEP is responsible for monitoring and liaising with Funding Recipients and reporting at least quarterly on the outputs in relation to Programme Funding and Grant Funded Projects to the LEP Board, the Council and HM Government in compliance with HM Government reporting requirements.

7.5 The LEP will not take any step that would cause the Council to be in breach of its obligations under a funding agreement, with HM Government or with a Funding Recipient, or which would otherwise prejudice the Council's rights under the funding agreement with that Funding Recipient.

7.6 The LEP will not agree any variations or extensions to, nor terminate any funding agreement with a Funding Recipient.

7.7 The LEP will prepare, maintain, keep under review and comply with a Local Assurance Framework which complies with the requirements of the National Assurance Framework and the principles of transparency, accountability and good governance.

7.8 The LEP will publish on its website in a timely manner all information that it is obliged to publish to comply with its Local Assurance Framework or any guidance issued by HM Government.

7.9 The LEP will comply with all legal obligations to which it is subject.

7.10 The LEP will comply with the principles of fair, open and transparent procurement including compliance with all relevant legal obligations.

7.11 The LEP must seek the prior written approval, not to be unreasonably withheld, of the Council before taking any decision to become a trading company, or to carrying out any trading activities, or to set up any subsidiary trading company or acquire any trading company.

7.12 The LEP will ensure proper administration of its budget and financial affairs throughout the year, including ensuring that any changes recommended by the Section 151 Officer are implemented promptly.

7.13 The LEP will act promptly in response to any concerns or recommendations made by the Council's Section 151 Officer in respect of the LEP's administration of its budget and financial affairs.

7.14 The LEP will invite the Section 151 Officer (or an alternative Authorised Officer of the Accountable Body notified to the LEP by the Council) to all Board and Investment Panel meetings. The Accountable Body's representative has the right to speak but not to vote at all such meetings.

7.15 The LEP will co-operate with the Section 151 Officer to identify staff training needs to ensure that all LEP Board members and staff understand the LEP's governance and financial control arrangements.

7.16 The LEP will not without the prior written agreement, not to be unreasonably withheld, of the Council undertake any treasury management or borrowing activities.

7.17 The LEP will co-operate with the Section 151 Officer to ensure that the LEP has in place proper financial procedures for decision making and that these are adhered to by LEP Board members, sub-group members and officers of the LEP.

7.18 The LEP will agree with the Council's appropriate procedures to consider the financial and legal implications of decisions during the process leading up to a decision being taken.

7.19 The LEP will ensure that decision making bodies and officers receive appropriate legal, financial and appropriate technical advice prior to making decisions.

7.20 The LEP will agree with the Section 151 Officer the budget risks facing the LEP at the start of each financial year and review such risks frequently throughout the year.

7.21 The LEP will maintain an up to date risk register and provide it to the Section 151 Officer following each revision. In addition to this the LEP shall maintain in accordance with good accounting practice appropriate and accurate books of account and records relating the Grant Funded Projects that are delivered and such books of account and records shall be accessible for inspection by the Authorised Officer (including the auditors) of the Council or any professional advisor acting on behalf of the Council at any time during normal business hours.

7.22 The LEP will agree with the Section 151 Officer before the start of each financial year a risk-based audit plan of LEP activity and ensure that it is appropriately funded to deliver the activities identified.

7.23 The LEP will include in its Local Assurance Framework provisions for the Section 151 Officer and an elected member of the Council to each have a seat on the LEPs internal Finance and Audit Committee.

7.24 The LEP will receive reports from the Section 151 Officer and the LEP Chief Executive on completed audits and provide these to HM Government (Cities and Local Growth Unit).

7.25 The LEP will ensure appropriate scrutiny arrangements are included in the Local Assurance Framework and keep the operation of the arrangements under review to ensure that they provide effective scrutiny of the LEP's activities.

7.26 The LEP will ensure that new LEP Board members, sub-group members and officers of the LEP receive induction into the culture and governance of the LEP, and its assurance framework including key policies such as the Code of Conduct and Whistleblowing Policy.

7.27 The LEP will keep under review the training needs and make provision for appropriate training of LEP Board members, sub-group members and officers of the LEP to meet identified training needs.

8. PUBLICITY AND MEDIA

The LEP will comply with any publicity requirements of HM Government in relation to funded programmes.

9. CONFIDENTIALITY

9.1 Each Party:-

9.1.1 shall treat all Confidential Information belonging to the other Party as confidential and safeguard it accordingly; and

9.1.2 shall not disclose any Confidential Information belonging to the other Party to any other person without the prior written consent of the other Party, except to such persons and to such extent as may be necessary for the performance of the Agreement or except where disclosure is otherwise expressly permitted by the provisions of the Agreement.

9.2 Each Party shall take all necessary precautions to ensure that all Confidential Information obtained from the other Party under or in connection with the Agreement:

9.2.1 is given only to such of their staff and professional advisors or consultants engaged to advise it in connection with the Agreement as is strictly necessary for the performance of the Agreement;

9.2.2 is treated as confidential and not disclosed (without prior approval) or used by any staff or such professional advisors or consultants otherwise than for the purposes of the Agreement.

9.3 Each Party can use any Confidential Information it receives from the other Party solely for the delivery of LEP related activities.

9.4 The provisions of clauses 9.1 to 9.3 shall not apply to any Confidential Information received by one Party from the other:

- 9.4.1 which is or becomes public knowledge (otherwise than by breach of this clause);
- 9.4.2 which was in the possession of the receiving Party, without restriction as to its disclosure, before receiving it from the disclosing Party;
- 9.4.3 which is received from a third party who lawfully acquired it and who is under no obligation restricting its disclosure;
- 9.4.4 is independently developed without access to the Confidential Information; or
- 9.4.5 which must be disclosed pursuant to a statutory, legal or parliamentary obligation placed upon the party making the disclosure, including any requirements for disclosure under the Freedom of Information Act 2000.

9.5 Nothing in this clause shall prevent either Party:

- 9.5.1 disclosing any Confidential Information for the purpose of the examination and certification of their accounts; or
- 9.5.2 disclosing any Confidential Information obtained from the other Party:
 - (i) to any government department or government agency. All government departments or governments agencies receiving such Confidential Information shall be entitled to further disclose the Confidential Information to other government departments or government agencies on the basis that the information is confidential and is not to be disclosed to a third party which is not part of any government department or government agency; or
 - (ii) to any person engaged in providing any services to either Party for any purpose relating to the delivery of the Grant Funded Projects or ancillary to the Agreement;
 - (iii) provided that in disclosing information under sub-clause 9.5.2 the discloser only discloses only the information which is necessary for the purpose concerned and requires that the information is treated in confidence and that a confidentiality undertaking is given where appropriate.

10. FREEDOM OF INFORMATION AND DATA PROTECTION

10.1 The Parties acknowledge that the Council is subject to the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR) and will assist and co-operate with the Council to enable the Council to comply with its information disclosure obligations.

10.2 The Parties agree that nothing in this Agreement will prevent the Council from disclosing any information, whether or not relating to a Programme or a Grant Funded Project, which the Council in its absolute discretion considers that it is required to disclose in order to comply with the FOIA and/or the EIR and any other statutory requirements whether or not existing at the date of this Agreement.

10.3 The LEP, although not legally covered by the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR), will respond ordinarily to requests as if it were. In responding to such requests the Council will assist and co-operate with the LEP to enable the LEP to meet its voluntary commitment to information disclosure requirements.

10.4 The Parties will comply with their obligations under the General Data Protection Regulation and the Data Protection Act 2018.

11. INTELLECTUAL PROPERTY

Any intellectual property rights ("IPR") owned by a Party and used by the Parties pursuant to this Agreement shall remain the property of the relevant Party with no rights being created in such IPR for the other Party.

12. FRAUD AND OTHER SERIOUS CONCERNS

12.1 In carrying out its activities under this Agreement, each Party will comply with its obligations under the law and its governance arrangements to prevent fraud, corruption, tax evasion and other wrong doing.

12.2 Where the Section 151 Officer identifies serious concerns in relation to fraud, tax evasion, compliance with legal obligations or other wrong-doing, the Section 151 Officer is required by HM Government to raise these promptly with HM Government (Cities and Local Growth Unit).

12.3 The Section 151 Officer and the LEP will seek to resolve such concerns locally, without prejudice to the right of the Section 151 Officer to raise concerns with HM Government.

13. CHANGES TO THIS AGREEMENT

This Agreement may only be changed by the written mutual agreement of the Parties, signed by an Authorised Officer of each Party.

14. TERMINATION

14.1 Either Party may terminate this Agreement by giving not less than six months to the other Party.

14.2 If by 1 April of any year the Accountable Body Costs have not been agreed in accordance with this Agreement the Council after careful consideration may terminate this Agreement by giving 7 days' written notice to the LEP.

14.3 Either Party may terminate this Agreement without notice if the other Party breaches the Agreement. Where a breach is capable of remedy, the Party alleging the breach must first refer it for resolution under the Disputes Procedure of this Agreement. The Agreement may only be terminated if the Dispute Resolution Procedure does not within a reasonable time (being no less than the time provided in clauses 16.1 and 16.2) resolve the issue to the satisfaction of the Party making the referral.

15. CONSEQUENCES OF TERMINATION

15.1 If this Agreement is terminated by the Council, it will:

- a) continue to co-operate with the LEP and any successor Accountable Body or bodies and with funding bodies to ensure a smooth transition to new arrangements;
- b) provide to the LEP or the new Accountable Body (where requested by the LEP) all such invoices, receipts for the current and previous financial year and other relevant records that relate to ongoing projects which are in its possession and which it holds in connection with its role as Accountable Body.

15.2 In all cases of termination of this Agreement, each Party will:

- a) comply with its obligations under any agreement with a funding body;
- b) return to the other any documents (or other media) in its possession or control that contain or record any Confidential Information or any personal data (as defined in the Data Protection Act 2018) that it is processing on behalf of the other Party and will not retain any copies of such information.

16. DISPUTE RESOLUTION

16.1 If either Party has any concerns or complaints relating to the relationship between the Parties under this Agreement, the LEP Chief Executive will notify the Section 151 Officer and they will seek to resolve the issue within a reasonable time (not to exceed 4 weeks) by a process of dialogue.

16.2 If the issue, concern or complaint cannot be resolved within a reasonable time the matter will be referred to the Chair of the LEP and the Council's Chief Executive, who will decide, within a reasonable time, (not to exceed 4 weeks) and in consultation with the Section 151 Officer and/or the Monitoring Officer of the Council, on the resolution of the matter.

16.3 Where, in the view of the Council's Chief Executive an issue or dispute presents an unacceptable legal or financial risk to the Council, the decision as to the resolution of any issue or dispute will be reserved to the Council's Chief Executive.

16.4 Where the Section 151 Officer has made recommendations concerning the administration of the financial affairs of the LEP which the Board has not agreed, these will be referred directly to the Council's Chief Executive and the Chair of the LEP for resolution. If resolution cannot be achieved in the timescale set out in clauses 16.1 and 16.2 above, the Section 151 Officer will refer the matter to the Minister for Housing, Communities and Local Government.

16.5 This Dispute Resolution Procedure shall not prevent the Section 151 Officer from referring any matter under clause 16 of this Agreement.

17. WAIVER

If either Party waives a breach of any provision of this Agreement that will not be treated as waiver of any subsequent breach of the same or any other provision of this Agreement.

18. SEVERENCE OF CLAUSES

If any provision of this Agreement is declared by any court of competent jurisdiction to be invalid or otherwise unenforceable or indication to that effect is received by either Party then the Parties shall amend that provision in such reasonable manner as achieves the intention of the Parties without illegality or if mutually agreed may be severed from this Agreement.

19. DELAY IN CARRYING OUT OBLIGATIONS

If either Party is delayed in carrying out any obligation under this Agreement by reason of circumstances beyond the Party's reasonable control and it gives written notice to the other Party of the circumstances within ten days of the circumstances of the anticipated delay arising, the time for performance of the obligation will be extended for such reasonable period as the Parties agree.

20. CONTRACTS (RIGHTS OF THIRD PARTIES ACT) 1999

The Parties do not intend that the Contracts (Rights of Third Parties) Act 1999 will apply to this Agreement.

21. ASSIGNMENT

The LEP may not assign or transfer all or any part of this Agreement without the prior written consent of the Council.

22. NOTICE AND NOTIFICATIONS

22.1 Each Party will notify the other from time to time of the name and contact details of the relevant managers who are authorised under this Agreement to give notices, make authorisations, sign documents, resolve disputes and act as points of contact for the other Party.

22.2 Where this Agreement refers to a matter having to be given or made "in writing", this includes by exchange of email between authorised persons.

22.3 Any communication containing personal data as defined by the Data Protection Act 2018 must be transmitted by a secure method approved by the Council.

23. GOVERNING LAW AND JURISDICTION

The Parties intend that this Agreement will be governed by and interpreted in accordance with English law and the Parties submit to the exclusive jurisdiction of the English Courts.

This agreement has been entered into on the date stated at the beginning of it.

EXECUTED AS A DEED)
by affixing the common seal)
of CUMBRIA COUNTY COUNCIL)
in the presence of:-)

.....
Authorised Signatory

Executed as a deed by
CUMBRIA LOCAL ENTERPRISE)
PARTNERSHIP LIMITED)
acting by William Richard)
Fletcher Vane, Lord)
Inglewood, a director, in)
the presence of:)

Signature of Witness-----

Print name -----

Address-----

Occupation of Witness-----

APPENDIX N – RISK REGISTER

RISK REGISTER

NO	RISK DESCRIPTION	RESPONSIBLE OFFICER	LIKELIHOOD	IMPACT	SCORE	STATUS	MITIGATION	MITIGATED SCORE	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
THEME: GOVERNANCE												
Board												
1	Board is not compliant with private sector and gender diversity requirements	CEO	Medium	High	High		Ensure that recruitment exercises are effectively managed in line with representation requirements.	Medium		CLEP had exceeded the private sector and gender requirements through targeted recruitment campaigns. However, changes in public sector representation moved CLEP's position backwards, which is now resolved with a new public sector appointee and the standing down of a male Board member. There remains a challenge in meeting the 2023 equal representation target based on current public sector membership. Ongoing monitoring and action will be required.	Encourage female candidates in any further changes to membership.	Risk to be mitigated by March 2023
2	Board non-compliant with Code of Conduct, Conflict of Interest and Declaration of Interests	CEO	Medium	High	High		Ensuring that all Board members receive guidance on compliance with the code of conduct and conflict of interest policies and understand the personal responsibility for managing Dols	Medium		Implement arrangements to regularly review and monitor compliance. New private sector Board members attended the LEP Network's new induction process. Completed confirmation exercise with existing Board members in November 2021 and ensured that all Dols were updated.	Update Dols for all Board members at May 2022 Board meeting.	
3	Board members exceed their period of office	CEO	Low	High	Medium		Ensure that arrangements are in place to monitor all periods of office and a procedure for dealing with a further third year period of appointment.	Low		Arrangements are in place to monitor all periods of office and a procedure is in place for dealing with a further third year period of appointment. This was successfully used for the rotation of District members in May 2021 and the recent extension of the Board Chair in	Review extensions made under easements by March 2022.	

										June 2021. An extension of a public sector member was sorted in July. CLEP used the extension easements for the two private sector members due for renewal in late September.		
4	Succession planning arrangements are not in place for Chair, Deputy Chair and Vice Chair	CEO	Low	High	Medium		Succession planning arrangements are in place for all three appointments. The arrangements for the Deputy Chair have been tested twice. The Vice Chair is now an Accountable Body nominee.	Low		The process has been used for the appointment process for the new Deputy Chair, who started in April 2021. The Chair's term of office was extended for three years in June 2021.	Ensure arrangements remain fit for purpose.	
5	Board is not effective in taking forward the strategic priorities of CLEP and ensuring effective operations	CEO	Low	High	Medium		Ensure that the governance structure is designed to ensure that Board members have portfolio responsibilities enabling members to have individual depth of understanding and collective breadth of understanding.	Low		Board members have been appropriately appointed into relevant portfolios, on which they have the necessary skills and expertise. Governance reviewed in September 2020.	Review the effectiveness of the governance structure once the outcome of the LEP Review is confirmed to ensure that it remains fit for purpose.	

Accountability

NO	RISK DESCRIPTION	RESPONSIBLE OFFICER	LIKELIHOOD	IMPACT	SCORE	STATUS	MITIGATION	MITIGATED SCORE	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
6	CLEP is not compliant with the National Local Assurance Framework	CEO	Low	High	Medium		Ensure that CLEP regularly reviews its Local Assurance Framework (LAF) to ensure compliance.	Low		CLEP has revised its Local Assurance Framework following the issue of the updated National Local Assurance Framework (September 2021) and this version has incorporated the requested changes and been posted on the system.	Complete a review of the Local Assurance Framework in advance of the Annual Performance Review.	
7	There is insufficient visibility of the LEP's commitment to accountability	CEO	Low	High	Medium		The LAF outlines CLEP's commitment to transparency and is highly visible on CLEP's website. All external activities demonstrate this commitment.	Low		The LAF is regularly reviewed and immediately placed on CLEP's website. The website has also been refreshed to ensure that all documents that government requires to be on the website are clearly signposted and cross-referenced.	Maintain this approach going forward.	
8	Accountable body has significant concerns about compliance with government's requirement	CEO	Low	High	Medium		Ensure that all compliance issues are developed in consultation with the Accountable Body and that	Low		CLEP has ensured that all compliance documents have been developed in close consultation with the	Work in partnership with the Accountable Body to complete a review of the LAF.	

							regular review meetings are in place.			Accountable Body to ensure that its expectations are being met. The specific officer body (Accountable Body LEP Governance Programme Board) continues to monitor compliance.	Continue to implement agreed approach and report to Accountable Body LEP Governance Programme Board on a quarterly basis.	
9	CLEP is not perceived as accountable to government, local government or wider stakeholders.	CEO	Low	High	Medium		Implement a tri-partite approach to accountability which delivers accountability to government through the Annual Performance Review and ongoing relationship management model; local government through the revised scrutiny arrangements and engagement in the wider governance structure; and wider stakeholders through the Annual General Meeting, Annual Report and engagement in the governance structure.	Low		The tri-partite approach to accountability is being operated, with arrangements in place for local government scrutiny through the LEP Scrutiny Board. The Annual Report for 2021 was circulated to AGM attendees and is available on the CLEP website. LEP Scrutiny Board meeting took place on 9 September 2021. Mid-Year Conversation with CLGU took place on 4 October 2021.	Address matters arising from the CLGU Mid-Year Conversation and LEP Scrutiny Board and prepare for the Annual Performance Review.	
10	Breach of guidance causes reputational damage to the LEP	CEO	Low	High	Medium		Put in place the necessary systems and processes to militate against this.	Low		Necessary systems and processes are now in place to militate against this. The responsibility placed on individual members to comply transfers the burden of responsibility and maximizes the potential of compliance. Update completed in May 2021.	Ensure that all existing and new Board members confirm understanding and acceptance of Code of Conduct and Conflict of Interest requirements at May 2022 Board meeting.	
Wider Governance Arrangements												
No	Risk Description	RESPONSIBLE OFFICER	Likelihood	Impact	Score	Status	Mitigation	Mitigated Score	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
11	Structure does not effectively engage partners in the delivery of CLEP activity	CEO	Low	High	Medium		Ensure that the governance structure is widely advertised with an open and transparent recruitment process.	Low		The governance structure has been widely advertised with an open recruitment process conducted to ensure significant engagement in the structure from across Cumbria. All governance bodies are now operational. The VCSE is a member of the Board and has been invited to nominate to the rest of the structure, on an ongoing basis.	Continue to recruit on an open and transparent basis in line with governance needs. Complete review of membership of all bodies to ensure all bodies remain fit for purpose, once LEP Review concluded.	
12	Structure does not add value to the business of CLEP	CEO	Low	High	Medium		Develop a structure that add values to the business	Low		Structure has been designed to add value to the business with	Complete a formal governance review once	

							and the delivery of CLEP's strategies.			the Strategy Groups reflecting the drivers of productivity and the Sector Panels the priority business sectors. A formal annual review takes place each year to confirm that the structure remains fit for purpose. Each of these sub-Board bodies has developed its work plan to deliver on the priorities within the LIS and Restart, Reboot, Rethink.	The LEP Review is concluded.	
13	CLEP cannot successfully manage the scale of the governance arrangements	CEO	Low	High	Medium		Ensure that appropriate resource is in place to effectively manage the structure.	Low		CLEP has recently completed an organisational review to ensure that the governance arrangements can be effectively managed following the changes in resourcing. This includes the creation of a new Secretariat Manager and two Heads of Sectors to oversee delivery.	Review the governance structure in line with the LEP Review to ensure that the governance structure remains fit for purpose vis-à-vis the new role.	
14	Governance bodies lose momentum over time.	CEO	Low	High	Medium		Review the structure on an annual basis to ensure that it remains current, relevant and responsive to the evolving needs of the economy.	Low		First annual review completed in autumn 2019, and all bodies confirmed for continuation. In May 2020 the Board agreed that the Health and Care Sector Panel should be disbanded, with the Sector Lead engaging in County-wide H&S governance. Future Forum formally adopted into the governance structure and the principle of incorporating BEAG accepted. Structure reviewed again in September 2020 with no changes deemed necessary.	Review the governance structure in line with the LEP Review to ensure that the governance structure remains fit for purpose vis-à-vis the new role.	
Scrutiny												
No	Risk Description	RESPONSIBLE OFFICER	Likelihood	Impact	Score	Status	Mitigation	Mitigated Score	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
15	Scrutiny fails to keep CLEP compliant	CEO	Low	High	Medium		Develop revised scrutiny arrangements which bring in those with significant scrutiny expertise	Low		The Accountable Body is co-ordinating the scrutiny function, which is being delivered by all Local Authorities. Members training has taken place. Outcomes from the LEP Scrutiny Boards have been actioned. Review meetings have taken place with the Scrutiny Panel Chair during lockdown. The agenda for the September 2021 Scrutiny Board was determined	Invite the Scrutiny Board Chair to develop the agenda for the March 2022 meeting.	

										by the focused on the issues of greatest relevance to scrutiny members.		
16	The arrangements do not cover the scope of CLEP's business	CEO	Low	High	Medium		Ensure that an agenda setting process is in place to consider all relevant issues	Low		The LEP Scrutiny Board selects the issues that it wishes to discuss to ensure that CLEP's activity is effectively scrutinised. All of its members have received induction training. An agenda setting meeting takes place with the Scrutiny Chair prior to each meeting to agree the agenda.	Continue to hold planning meetings in advance of each Scrutiny Meeting to ensure that the scope is sufficiently broad.	
17	CLEP fails to respond to scrutiny findings	CEO	Low	High	Medium		The Chair to take personal responsibility for reporting to ensure that findings are brought to the attention of the Board and acted upon.	Low		The lead CLEP representatives are the Chair and Chief Executive to ensure that all issues are effectively addressed. The findings from the September Scrutiny Board were limited in nature and immediately addressed.	Ensure that all actions identified from the September Scrutiny Board are effectively addressed.	
Viability												
No	Risk Description	RESPONSIBLE OFFICER	Likelihood	Impact	Score	Status	Mitigation	Mitigated Score	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
18	CLEP is not a going concern in 2022/23.	Finance, Audit and Resources Committee	Low	High	Medium		Constitute a Finance, Audit and Resources Committee to ensure that 'going concern' considerations are actively managed.	Medium		CLEP's financial position will always be operating on an annual basis, given the annual funding cycle of government. The Finance Audit and Resources Committee ensures that viability is monitored on an ongoing basis. Going concern status has been confirmed in the 2020/21 audit process and formally reviewed for the remainder of the 2021/22 financial year. The priority is now to secure funding for 2022/23 in line with the outcomes of the LEP Review.	Secure remaining outstanding funding sources for 2021/22 and identify funding streams for 2022/23.	
19	CLEP cannot meet its liabilities on wind up or closure	Finance and Resources Committee	Low	High	Medium		Develop a reserve to meet these costs.	Low		CLEP has a reserve in place that provides sufficient cover to meet wind up and redundancy costs, should this be necessary. This funding will only be used in extremis. This reserve will be carried forward into 2022/23 and is retained in a separate account.	Ensure that any wind-up costs can be met from within the restricted reserve.	

20	Improper use of company resources or defrauding the company of its resources	CEO	Low	High	Medium		Ensure that staff are made aware of expectations when using company resources and that appropriate risk mitigation arrangements are in place. Ensure that a full programme of independent audit activity is in place. Provide a confidential whistleblower reporting policy to ensure that Directors or staff with any concerns on probity can raise these issues.	Low		Banking arrangements are in place, which requires dual signatories with a limited number of signatories in place to limit risk. Similarly, delegations are limited in nature to ensure control of expenditure. Independent accountancy and audit arrangements have been put in place for all of CLEP's revenue expenditure to ensure oversight of all transactions. An independent auditor completed a systems and processes review to ensure the strength of CLEP's financial systems. The annual audit process for 2020/21 provided a clean bill of health. A minor system recommendation was made, which was implemented immediately. Whistleblowing policy is in place and communicated to Directors and staff. All staff are aware of appropriate procurement, defrayal and the delegation limits.	FARC to maintain management oversight through review of accounts.	
----	--	-----	-----	------	--------	--	--	-----	--	---	---	--

THEME: STRATEGY												
Role of LEPs												
NO	RISK DESCRIPTION	RESPONSIBLE OFFICER	LIKELIHOOD	IMPACT	SCORE	STATUS	MITIGATION	MITIGATED SCORE	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
21	Government changes its position on the roles and responsibilities of LEPs.	CEO	High	High	Medium		Influence government on the importance of LEPs and the role that they can play on the economy and in implementing recovery activity.	Medium		Supported the LEP Network in developing its response to the LEP Review and outlined the LEPs knowledge in meetings with PMDU and Levelling Up Unit etc. Also implemented a revised Redundancy Policy to help address uncertainty for direct employees.	Promote the added value of LEPs to a range of audiences.	
Economic Growth/ Recovery												
22	LIS/Recovery Plan does not have partnership commitment to priorities	CEO	Medium	High	High		Develop a formal consultation process to secure the buy in of all partners.	Low		LIS consultation process delivered in line with seven stage process, strong partnership buy in secured throughout the process. Recovery Plan is being delivered in partnership with BERRG and other key consultees.	Work programmes for all governance bodies are being reviewed and refreshed.	
23	LIS is not agreed with Government	CEO	Low	High	Medium		Develop a process with government to ensure that Cumbria's Local Industrial Strategy is co-produced.	Medium		Negotiation briefs submitted to government for departmental discussions. Have produced proposed draft structure for co-produced LIS which has been submitted to government. However, government has moved to a Plan for Growth and discussions underway on LEP roles on implementation.	Position LEPs as bodies to produce and implement local Plan for Growth. Move forward implementation of Restart-Reboot-Rethink.	
24	LIS is not successfully implemented	CEO	Medium	High	High		Develop the necessary governance arrangements to successfully implement the Local Industrial Strategy.	Low		Work programme developed by all governance bodies, and updated to reflect Restart, Reboot, Rethink. These are all being reviewed and refreshed.	Implement Restart, Reboot, Rethink.	
25	LIS does not secure sufficient finance to deliver proposed activities	CEO	Medium	High	High		Work with national, regional and local partners to identify current and future sources of finance to deliver the LIS	Medium		CLEP has submitted a formal response to the consultation on the Regional Investment and Growth and met with departmental leads on the Shared Prosperity Fund to try to influence future investment plans. Additional funding secured from the Getting Building fund, which was in excess of previous per head	Promote the need for catalytic capital investments for business innovation and growth.	

										settlements. Response submitted to the BEIS Post Pandemic Inquiry and CSR.		
26	LIS does not make the necessary impact on Cumbria's economy	CEO	Medium	High	High		Design the LIS to ensure it focuses on the most significant issues for Cumbria's economy	High		Cumbria has been significantly affected by COVID-19 and as such, CLEP is leading BERRG to ensure that effective mitigation measures are in place and that the risks to Cumbria's economy are understood at national level.	Continue to press for specific interventions to support Cumbria's businesses and economy and develop a flightpath back to growth priorities. However, this is likely to be a longer-term recovery process.	
27	Cumbria's labour supply issues inhibit economic growth and recovery.	CEO	High	High	High		Develop a targeted work programme to address the risks.	High		CLEP formed a specific Visitor Economy Task and Finish Group to identify mechanisms to address the significant sectoral challenges. PESSG held a single agenda item meeting to consider the issues facing every sector, which resulted in the formation of a new Working Group.	Test the Labour Supply Action Plan at a specially convened workshop on 10 January and revise and implement accordingly.	

EU Exit – End of Transition Period

No	Risk Description	RESPONSIBLE OFFICER	Likelihood	Impact	Score	Status	Mitigation	Mitigated Score	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
28	Cumbria is not sufficiently well prepared for the end of the EU Exit transition period.	CEO	Medium	High	High		Identify the specific risks and issues for Cumbria in relation to end of the EU Exit Transition period.	Medium		The Deal has reduced the major concerns around tariffs and movement of goods. The risk now is implementation issues and the impact of these. An EU End of transition impact assessment has been produced. EU Exit assessment completed.	Embed advice in mainstream business support activity.	
29	The end of the EU Exit transitional period has a significant detrimental impact on Cumbria	CEO	High	High	High		Complete a further Brexit impact assessment to identify most significant risks for Cumbria.	Medium		Brexit impact assessment completed. Major economic review has been completed and is now available.	Publish and respond to outcomes of Economic Impact Assessment.	
30	Opportunities presented post-EU Exit are not realized.	CEO	Medium	High	High		Work with sector or bodies to identify the opportunities for Cumbria.	Medium		COVID-19 has inhibited the development and implementation of the opportunities plan. This is now being picked up in a COVID-19 context.	Integrate COVID and EU Exit planning to develop a cohesive framework to identify new opportunities, once LEP Review concluded.	

THEME: DELIVERY

Growth Deal

NO	RISK DESCRIPTION	RESPONSIBLE OFFICER	LIKELIHOOD	IMPACT	SCORE	STATUS	MITIGATION	MITIGATED SCORE	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
31	Growth Deal is not delivered in line with annual profile	CEO	Low	High	Medium		Contingency Planning is in place and active to ensure that the Growth Deal	Medium		2019/20 Growth Deal profile delivered in full.	Deliver post-closure monitoring arrangements.	

							annual profile is achieved. A detailed risk register on programme risks is managed by the Investment Panel					
32	Outputs, outcomes and impacts are not achieved	CEO	Medium	High	High		Complete a programme review to ensure that all KPIs are being effectively recorded and captured. Target future investments to those activities that generate the highest outcomes in 'under-performing' areas.	High		Significant work has been undertaken to ensure that all outcomes are reported and that where possible these are accelerated. The Programme Management team is actively monitoring programme level delivery working with applicants to address any shortfalls in delivery. The Investment Panel is closely monitoring and will escalate risks as and when necessary to the Board.	Implement post-closure monitoring plan.	
33	Individual projects fail to deliver on requirements	CEO	Low	Medium	Medium		Monitor all projects on an ongoing basis	Medium		All projects have been financially completed. Full practical completion and output delivery, which runs through to 2025 will now be the focus of post closure monitoring.	Maintain monitoring approach and alert the Board to the projects at greatest risk.	
34	Investment decisions are viewed as unfair or lacking in transparency	CEO	Low	Medium	Medium		Develop clear and open application processes.	Low		There are clear and open processes for calls for bids which are outlined within the LAF and on CLEP's website. A new application process was introduced to streamline and further clarify the process for applicants. Not an issue currently as LEPs are not delivering capital programmes.	Update LAF to reflect revised responsibilities post-Local Growth Fund, once this is clarified.	

Cumbria Infrastructure Fund

No	Risk Description	RESPONSIBLE OFFICER	Likelihood	Impact	Score	Status	Mitigation	Mitigated Score	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
35	Demand for funding is insufficient	CEO	Medium	Medium	Medium		Effectively promote the Fund	Medium		However, COVID-19 means that risk appetite is diminished. A national case was made to re-purpose CIF to provide revenue grant funding to businesses but this was not approved. Two initial interests are now not being taken forward.	Continue to promote the availability of the funding.	
36	Repayments are not made	CEO	Low	High	Medium		Ensure that effective systems and processes are in place to minimise the potential for non-repayment.	Low		CLEP has reviewed its systems and processes to minimise the potential for non-repayment with a lessons learned exercise conducted. Projects in potential	Regularly review repayment profiles to identify risk and then mitigate at project level.	

										default were approved prior to the new systems being introduced. Currently, following up two projects at risk of default.		
37	Investment decisions are viewed as unfair or lacking in transparency	CEO	Low	Medium	Medium		Develop clear and open application processes.	Low		There are clear and open processes, which are outlined within the LAF and on CLEP's website. A revised application process was recently introduced.	Ensure that all systems and processes remain highly transparent.	
Cyber Security												
No	Risk Description	RESPONSIBLE OFFICER	Likelihood	Impact	Score	Status	Mitigation	Mitigated Score	MITIGATED STATUS	ACTION TO DATE	PLANNED ACTIONS	MITIGATED STATUS
38	CLEP's business is seriously adversely affected by a Cyber-attack.	CEO	Medium	High	High		Operate under Cumbria County Council's IT system to provide access to serious systems and processes to mitigate the cyber security risks.	Medium		Arrangements in place to operate through Cumbria County Council's IT provision, which is continually upgraded and provides access to anti-malware , scanning to ensure safety of servers, email attachments, web traffic & portable media etc.	Continue to work with IT provider to ensure the security of the service. Cyber Security will always be a credible risk hence the medium mitigated status.	N/A - ONGOING
39	Poor local management of IT systems.	CEO	Low	High	Low		Operate under the umbrella of Cumbria County Council, so no local responsibility of IT systems.	Low		Arrangements put in place to operate through Cumbria County Council's IT provision.	Continue to monitor effectiveness of arrangements.	
People Management												
40	CLEP staff do not deliver business activity to their maximum potential.	CEO	Low	High	Medium		Recruit a team with suitable skills and expertise for the roles within the structure. Ensure that an appropriate Performance Management Framework is in place and that team members have access to learning and development opportunities.	Low		All team members have been recruited in line with job descriptions, which focused on the necessary skills and expertise for the posts required within the organisation. Performance Management Framework in place and being used to review performance and identify learning and development needs.	Review roles and responsibilities once the outcome of the LEP Review is concluded to ensure that the organisation remains fit for purpose.	
41	Succession planning arrangements are not in place for CLEP.	CEO	Low	High	Medium		Develop a succession plan for the organisation.	Medium		Transitional structure put in place to effectively manage the business.	CEO to regularly review succession plan for CLEP and develop contingency plans to address any changes to existing arrangements.	
Business Continuity Planning												
42	CLEP cannot operate effectively during a serious resilience event.	CEO	Medium	High	High		Develop a Business Continuity Plan to ensure that CLEP can operate in	Medium		The business continuity plan has operated effectively allowing business to continue its	Continue to monitor the effectiveness of operations.	

							the event of a serious disruption			operations remotely.		
Health and Safety												
43	The Health and safety of staff is not adequately protected.	CEO	Low	High	Medium		Ensure that effective health and safety arrangements are in place and all health related procedures are complied with.	Low		All new staff are inducted and updated on all health and safety issues. The Office Manager has specific responsibility for ensuring a safe working environment. During COVID-19 extended homeworking checks have been made to ensure that all staff can operate safely with additional equipment provided in line with DSE requirements.	Continuously monitor the effectiveness of health and safety arrangements.	

RISK MATRIX

		IMPACT		
		Low	Medium	High
LIKELIHOOD	Low	Low	Medium	Medium
	Medium	Low	Medium	High
	High	Medium	High	High

APPENDIX O – SCHEME OF DELEGATION

This schedule seeks to record where authority rests within the LEP for financial decision making. No such schedule can be completely comprehensive, but this seeks to provide a framework through which other decisions may be resolved.

The CLEP Board has ultimate responsibility for decision making but has delegated Growth Programme funding up to the value of £1 million to the Investment Panel.

Strategy and Policy Formulation

Activity	Responsible Individual/Body
Developing strategy and policy proposals within the scope of their Terms of Reference	Drafted by the Executive Team for agreement of all Sub-Board bodies
Approval of significant strategies and corporate policies (that is, those which have a material impact on CLEP staff)	Drafted by the CLEP Chief Executive for agreement of all Sub-Board bodies

Programme Budget Setting and Reporting

Activity	Responsible Individual/Body
Growth Programme Funding	
Approval of Growth Programme monies over £1,000,000	CLEP Board
Approval of Growth Programme monies up to and including £1,000,000	Investment Panel
Change to Investment Decision: <ul style="list-style-type: none"> • Up to 10% and/or a maximum value of £250k and no material change • Up to 20% and/or maximum value of £500k and no material change • Over 20% and/or over £500k and/or a material change to the project 	<ul style="list-style-type: none"> • CLEP Chief Executive or Head of Programmes Team • Change control - CLEP Chief Executive and Accountable Body - Senior Manager and LEP IP Chair • Change Control, CLEP Investment Panel or CLEP Board

Activity	Responsible Individual/Body
Notifying the Accountable Body to enter into a funding agreement, once the Board or Investment Panel has approved the decision	Chief Executive or Head of Programmes
In Extremis decision making, where the Board or Investment Panel are conflicted and cannot make a decision in line with decision making requirements.	Chief Executive with explicit agreement of the Accountable Body
Cumbria Business Support Programmes	
Developing and Appraising Tender Documentation	CLEP Head of Business and Programmes for approval by the Chief Executive
Issuing Tender Documentation	Head of Business Programmes
Approving Claims	CLEP Head of Business Programmes in conjunction with Accountable Body
Monitoring Expenditure	CLEP Head of Business Programmes in conjunction with Accountable Body
Careers and Enterprise Company Programmes	
Developing and submitting funding applications	Careers Hub Manager
Authorising Expenditure Up to £20k Over £20k	Careers Hub Manager Chief Executive
Developing Claims to CEC	Careers Hub Team
Authorising Claims	Careers Hub Manager

Running Costs Budget Setting and Reporting

Activity	Responsible Individual/Body
Approval of Annual LEP running costs budget, including salary budget	CLEP Board, as recommended by Finance, Audit and Resources Committee
Approval of virement between running cost budget headings: Up to £50k Over £50k	Chief Executive CLEP Board, as recommended by Finance, Audit and Resources Committee
Approving Running Costs Expenditure: Up to £5K Up to £10k Over £10k	All CLEP Officers Heads of Team in line with delegated authority Chief Executive
Authorising Payments at Bank: All Payments	Senior Payments and Programme Manager
Monitoring Expenditure	Chief Executive reporting to Finance, Audit and Resources Committee
Appointing Auditors	Finance, Audit and Resources Committee

Recruitment and Staffing

Activity	Responsible Individual/Body
Authority to create posts (interim, secondments, permanent)	Finance, Audit and Resources Committee as recommended by Chief Executive
Reviewing job descriptions and salaries of new posts	Finance and Resources Committee based on recommendations of the Chief Executive
Authority to appoint posts (interim, secondments, permanent) in line with agreed staffing structure	Chief Executive in conjunction with relevant bodies for interims and secondees

Activity	Responsible Individual/Body
Authority to terminate appointments	Chief Executive and Chair
Authority to appoint/terminate Chief Executive/Chair	LEP Chair in conjunction with CLEP Board
Annual salary increases	CLEP Board, based on recommendations of Finance, Audit and Resources Committee
Terms and Conditions Review	CLEP Board, based on recommendations of Finance, Audit and Resources Committee

APPENDIX P – CLEP MONITORING AND EVALUATION PLAN

1. Cumbria's Growth Deal

1.1 The Cumbria LEP has secured £60.32m from the Government's Local Growth Fund to support economic growth in the area, with the following funding levels available within each financial year:

- 2015/16 - £9.07m
- 2016/17 - £19.56m
- 2017/18 - £7.12m
- 2018/19 - £6.06m
- 2019/20 - £6.81m
- 2020/21 - £11.7m

1.2 This plan details the monitoring and evaluation process for the Cumbria Growth Deal for the Cumbria LEP. The plan covers the agreed metrics for all schemes funded by the Local Growth Fund, including the pre-committed funds.

1.3 The key features of the Cumbria Growth Deal are as follows:

- Transport investments and wider road maintenance to improve connectivity and support economic growth around a number of important locations including the Port of Workington, Carlisle and Station Hubs.
- Business growth initiatives to support local SMEs to thrive and innovate, enabling economic growth.
- Business resilience measures, supporting key strategic employers to remain competitive, invest in growth and increase employment through providing key flood defence initiatives.
- Investing in higher and further education facilities and equipment to ensure both learners and businesses have access to state-of-the-art facilities to increase learning outcomes and unlock business productivity.
- Enabling the development of modern, fit-for-purpose work and office space targeted at the needs of Cumbrian businesses and supporting growth within our key sectors.

1.4 In total, the Cumbria Growth Deal will deliver at least:

- 4000 jobs
- 3,000 new homes
- 210,000 m² of new or refurbished commercial floor space

- 4,500 learning opportunities
- 5,000 premises with access to superfast broadband
- £100m public/private investment levered in

2. Our Approach to Monitoring and Evaluating Growth Deal Projects

2.1 This Plan sets out the approach of Cumbria LEP to monitoring and evaluating the capital projects within the Growth Deal. It also outlines the approach that will be taken to evaluate the overall impact of the Growth Deal programme in its entirety.

2.2 Regular and robust monitoring allows the LEP to ensure that its Growth Deal investment is being delivered in line with the agreed Full Business Case(s) and is contributing effectively towards the aims of the Strategic Economic Plan or other key LEP documents.

2.3 In addition, conducting effective evaluation at both the project and programme level enables both the LEP and individual project sponsors to learn from and share experience. This will help to shape future CLEP investments as well as ensuring project deliverers can benefit from best practice to improve performance going forward.

2.4 All projects in receipt of Growth Deal funding will be required to complete and submit monitoring reports to the CLEP Executive at least on a quarterly basis. This will be in the form of a narrative update which will also include information on changes to any risk ratings as well as forming the basis of the financial claim. Such reports will be summarised and reviewed by the CLEP Investment Panel at least on a quarterly basis.

2.5 Where a project is identified as higher risk, the CLEP Executive may require that a project submits more regular monitoring reports in the form of performance updates until the Executive is satisfied that the performance of the project is at acceptable levels.

2.6 The CLEP Executive will take a proportionate approach to project monitoring and evaluation which takes into consideration the scale, value and nature of the individual project.

2.7 Upon project completion, all projects will be expected to complete a final project evaluation which sets out as a minimum performance against the agreed Full Business Case. This information will be reviewed by the LEP Investment Panel.

2.8 Cumbria LEP will focus its approach to evaluation around the following key areas:

- **Outcome**
- **Process**
- **Impact**

Approach	Description	Rationale	Method of Evaluation	Dissemination of Information
Outcome	This will look at the quantitative element of a project or programme and record performance against the agreed outcomes as detailed within the Full Business Case and/or Funding Agreement. This will include a measure of value for money	Used for projects where a standard methodology is in place for assessing impact or where transport related standard metrics apply	Regular agreed monitoring reports submitted to the LEP Executive	LEP Board/Investment Panel Cumbria LEP Website
Process	This is a qualitative assessment and will consider whether projects were delivered as planned in relation to their processes. Evaluation of this nature will support the shaping of future investments and project delivery	Used for projects which were more reliant on an up-front process to drive delivery. This will assess whether the processes used were effective	Independent, in-depth evaluation commissioned and funded by project sponsor	LEP Board/Investment Panel Cumbria LEP Website. Relevant LEP Communications – i.e. Annual Report
Impact	This is both qualitative and quantitative and will consider the overall impact that a project or programme has made to economic growth and delivery of the Strategic Economic Plan. These evaluations will be more in depth and usually only for projects with investments of a significant size or where a project's aims are unique or especially innovative		Independent, in-depth evaluation commissioned and funded by project sponsor	LEP Board/Investment Panel Cumbria LEP Website. Relevant LEP Communications – i.e. Annual Report

2.9 We will agree with project sponsors the evaluation approach for their individual projects and how this will be achieved. It should not duplicate information provided as part of regular monitoring reports but should instead consider how successfully the project has been delivered.

2.10 There is no revenue funding available in the Growth Deal programme to support evaluation so these costs should be met by the individual project promoter and considered and planned for from the outset of the project.

2.11 Upon completion, project evaluations will be made available on the CLEP website. Where information is included that may be of a commercially sensitive nature, this will be redacted as appropriate.

3. Cumbria Growth Deal Monitoring and Evaluation Plan 2018/19

Project	Project Description	Key Metrics	Type of Evaluation	Timescales
Optimising Connectivity	Transport improvement schemes aimed at improving the experience of visitors accessing three key tourism destinations along or in close proximity to the A591 corridor in the Lake District.	<ul style="list-style-type: none"> Jobs Leverage 	Output	Start Q1 2015/16 End Q4 2017/18
Barrow Waterfront	Site preparation and servicing of Waterfront Business Park with the creation of individual serviced plots for sale to support supply chain development around BAE.	<ul style="list-style-type: none"> Jobs Leverage New Homes Floorspace 	Impact Output	Start Q1 2015/16 End Q4 2017/18
Kendal Transport Infrastructure	Sustainable transport and highway improvements across Kendal which will support the delivery of housing and employment land allocated in the South Lakeland Local Plan.	<ul style="list-style-type: none"> Jobs New Homes 	Output	Start Q1 2015/16 End Q4 2018/19
Barrow Advanced Manufacturing Centre	Provision of state of the art workshop space to meet training needs of the manufacturing, energy and sub-sea sectors.	<ul style="list-style-type: none"> Jobs Leverage Floorspace Learning Opportunities 	Output	Start Q1 2015/16 End Q4 2016/17

Project	Project Description	Key Metrics	Type of Evaluation	Timescales
South Ulverston	Delivery of a range of infrastructure improvements along the A590 to unlock future employment and housing land around the town and through supporting the future investment plans of key businesses.	<ul style="list-style-type: none"> • New Homes 	Output	Start Q1 2015/16 End Q4 2018/19
Durranhill	Reinvigoration of Durranhill Industrial Estate. Upgrading road infrastructure and redesigning the layout to enable further development.	<ul style="list-style-type: none"> • Jobs • Leverage • Floorspace 	Output	Start Q1 2015/16 End Q4 2016/17
Devolved Majors	Series of transport improvements including Currock Bridge, Maryport Station Hub and Workington Station Hub.	<ul style="list-style-type: none"> • LTB Scheme 	Output	Start Q1 2015/16 End Q4 2018/19
Connecting Cumbria	Phase 2 of the Connecting Cumbria project enabling delivery of the extension of fibre broadband infrastructure typically capable of delivering superfast broadband of more than 24 Mbps to at least 5,925 premises in Cumbria, with the aspiration that 95% of Cumbrian properties be able to access such services.	<ul style="list-style-type: none"> • Leverage • Access to Superfast Broadband 	Output	Start Q1 2016/17 End Q2 2019/20
Skills Capital	Support to deliver skills capital projects with a value of less than £1m. Creating new or upgraded learning space to enable the delivery of new and improved curriculum offer that meets local economic needs.	<ul style="list-style-type: none"> • Leverage • Floorspace • Learning Opportunities 	Output	Start Q1 2015/16 End Q4 2017/18

Project	Project Description	Key Metrics	Type of Evaluation	Timescales
Advanced Manufacturing Centre	Creation of an Advanced Manufacturing Centre (AMC) with state of the art industry standard advanced manufacturing equipment, delivering employer led curriculum at all levels in the engineering, manufacturing and processing sectors.	<ul style="list-style-type: none"> • Leverage • Learning Opportunities 	Output	Start Q1 2015/16 End Q4 2016/17
Port of Working Road Access	Delivery of a replacement road-over rail bridge serving the Port of Workington's only road access and demolition of the existing deteriorating masonry arch bridge. The replacement bridge will provide road access to the Port to modern standards and enable proposed improvements to rail access infrastructure, which the existing bridge would prevent.	<ul style="list-style-type: none"> • Leverage • Floorspace 	Output	Start Q4 2017/18 End Q3 2019/20
Flood Recovery 1	Delivery of works to enable the business to recover from the immediate effects of flood damage sustained in December 2015 (those costs not already covered by flood insurance).	<ul style="list-style-type: none"> • Flood Recovery 	Output	Start Q1 2015/16 End Q1 2017/18
Flood Recovery 2	Delivery of works to enable the business to recover from the immediate effects of flood damage sustained in December 2015 (those costs not already covered by flood insurance).	<ul style="list-style-type: none"> • Flood Recovery 	Output	Start Q1 2015/16 End Q3 2016/17

Project	Project Description	Key Metrics	Type of Evaluation	Timescales
Project Ark	Delivery of flood walls and defences to protect a key strategic employer, reducing the business continuity risk of a future flood event.	<ul style="list-style-type: none"> • Leverage • Jobs 	Output	Start Q2 2018/19 End Q1 2019/20
SIS Pitches Ltd	Reconfiguration of manufacturing premises and purchase of new machinery to unlock business growth and export potential.	<ul style="list-style-type: none"> • Jobs • Leverage • Floorspace 	Output	Start Q3 2018/19 End Q1 2029/2020
Carlisle Airport	Delivery of series of runway improvements and construction of a new terminal building to enable passenger flights from Carlisle Airport.	<ul style="list-style-type: none"> • Jobs • Floorspace • Leverage 	Impact Output	Start Q4 2018/19 End Q1 2019/20
Cumbria Coast Line	Support for the development of a Full Business Case for DfT to secure significant investment in the Cumbria Coast Line.	<ul style="list-style-type: none"> • Leverage 	Output	TBC
Clark Door Advanced Manufacturing Growth	Delivery of reconfiguration and expansion of business premises to enable growth in export potential.	<ul style="list-style-type: none"> • Jobs • Floorspace • Leverage 	Output	Start Q1 2019/20 End Q2 2020/21
Projects in Development				
Whitehaven North Shore	Development of a 4* hotel at the North Shore to catalyse regeneration plans.	<ul style="list-style-type: none"> • Leverage • Floorspace • Jobs 	Impact Output	TBC
Optimising Connectivity 2	Series of transport infrastructure investments in key tourist corridors.	<ul style="list-style-type: none"> • Jobs • Leverage 	Output	TBC
Grizebeck Improvements	Support to deliver improvements on the A595 at Grizebeck to reduce a critical pinch point.	<ul style="list-style-type: none"> • Leverage 	Output	TBC

4. Our Approach to Monitoring and Evaluating the Growth Deal

4.1 CLEP believes it is important to understand and disseminate information on the effectiveness and impact of the Growth Deal programme within Cumbria.

4.2 In order to achieve this, CLEP will undertake both a Mid-Programme and Final Evaluation of the Growth Deal.

4.3 Both evaluations will be undertaken by an independent expert to ensure that a fully objective review of performance, processes and impact is produced.

3.4 Both the Mid-Programme and Final Evaluations will include the following information as a minimum;

- A review of the evolution of Growth Deal within a Cumbrian context;
- Information on the evolution of the appraisal, approval and contracting process over the programme period;
- A review of the effectiveness of CLEP project approval, monitoring and evaluation processes;
- Changes to the operating environment since the inception of Growth Deal such as major environmental events or significant changes in the economic environment;
- Changes within CLEP's governance and/or policy structures;
- A summary of the Growth Deal projects;
- A summary of the project(s) not supported or any that have dropped out;
- Performance data including spend and outputs;
- Assessment of actual and potential impact;
- Case studies;
- Lessons learned and recommendations.

3.5 The Evaluations will draw from information contained in regular performance monitoring reports as well as any completed individual project evaluations. The information will be supplemented with more detailed case studies.

3.6 The Mid-Term Evaluation will be undertaken during Q2 and Q3 2019/20. The final report will be made available on the CLEP website.

3.7 The Final Evaluation will be undertaken during Q1 2023/24. The final report will be made available on the CLEP website.



CUMBRIA

LOCAL

ENTERPRISE

PARTNERSHIP

Strategic Outline Business Case

Applicant Details

Project Name	
Project Applicant	
Organisation Type	
Contact Name	
Applicant Address	
Applicant Postcode	
Location of Project	
Email	
Telephone	
Mobile	

Guidance

This document provides a template for a Strategic Outline Business Case (OBC), in support of an investment – project, procurement or scheme.

The Strategic Outline Business Case sets out at a very high level the issue that the proposal is attempting to address, the nature of the proposal, the fit with CLEP priorities, identification of key stakeholders (including the project promoter), timetable, estimated costs, investment needed, potential outputs and major risks.

Please note that this template is for guidance purposes only and should be completed in accordance with the guidelines laid down in the HM Treasury's Green Book.

<https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government>

The level of information provided should be proportionate to the size and complexity of the scheme proposed. Project over £5 million are considered to be large schemes.

Summary Information

Project Description

Please provide a summary description of your project in no more than 250 words

--

Total Project Cost £	
Grant Request £	
Intervention Rate % (Grant request as a percentage of the total project cost)	
Proposed Start Date	
Proposed Practical Completion Date	
Proposed Date for Completion of Outputs	

Key Outputs to be Delivered by the Project

Jobs Created (FTE)		Jobs Safeguarded (FTE)	
No of Houses		Public / Private Investment £	
Learning Opportunities		Premises with access to Superfast Broadband	
Premises created (m2)		Premises refurbished (m2)	
Businesses Assisted		Other (please list below)	

Strategic Dimension

1.1 Challenge or opportunity to be addressed

Please describe the key characteristics of the problem to be addressed and / or the opportunity presented. Provide an overview of the evidence supporting this, referencing external documents where necessary.

It may also be useful to state why the issue has not been addressed previously, or what the impact would be if the issue was not addressed.

1.2 What are the aims of the project?

Please describe the overall aims or desired outcomes that the project hopes to achieve and how this will address the problem or maximise the opportunity identified.

1.3 How will the aims be achieved?

Please clearly outline the scope of the project. A small set (around 5 or 6) of Specific, Measurable, Achievable, Realistic and Time-limited (SMART) objectives should be identified. They should ideally include the outcomes that are the rationale for the proposal and in some cases the outputs required to deliver them.

1.4 Strategic Fit

How does the project fit with the emerging priorities identified in Cumbria's Local Industrial Strategy, as well as any other relevant policy documents?

1.5 Key Risks

What are the key risks that should be considered in relation to the project? This should include consideration of external factors and the potential impact upon the project.

Economic, Commercial, Financial and Management Dimensions

2.1 Options

Please identify the long list of options considered for delivery of the scheme and any known key risks associated with individual options.

2.2 Critical Success Factors

Please identify the critical success factors (important factors that would be critical in assessing how options could contribute towards the objectives); and include any relevant information regarding how these have been defined and agreed.

2.3 Project Costs

2.3.1 Please complete the table below. Please ensure the total expenditure matches the total project cost identified within the Summary Information.

Cost Heading	£
<i>Insert Cost Heading</i>	
<i>Insert Cost Heading</i>	
<i>Insert Cost Heading</i>	
<i>Insert Cost Heading (Add rows as necessary)</i>	
Total Expenditure	

2.3.2 Please identify the stage of the costs i.e. indicative costs, full tendered costs etc.

2.4 Funding Package

Please complete the table below, profiling the funding package for the project. Please ensure that the total funding package matches the total expenditure, and that the total from Cumbria LEP matches the Grant Request in the Summary Information.

Match Funder	£	Status (e.g. Confirmed / Outstanding / Date Decision Due)
Cumbria LEP		
<i>Insert Match Funder</i>		

<i>Insert Match Funder</i>		
<i>Insert Match Funder (Add rows as necessary)</i>		
Total Funding		

2.5 Scheme Management

Please identify the management structure for the delivery of the project and identify any previous experience of delivery of similar activity. An organogram may be useful.

--

2.6 Key Milestones

Please identify below any key milestones (e.g. securing planning; commencement of groundworks) which should demonstrate that the project is deliverable within relevant timescales.

Milestone Description	Date
Project Start	
<i>Insert Key Milestone</i>	
<i>Insert Key Milestone</i>	
<i>Insert Key Milestone [add rows as necessary]</i>	
Practical Completion	
Project End Date (ensuring factors such as retention are taken into account)	

2.7 Stakeholders

2.7.1 Is there a Stakeholder Management Plan / Communications Strategy in place for this project?	Yes:		No:	

If yes, please ensure that it is appended to the OBC (see Appendix Checklist).

If no, please detail the stakeholders for the scheme and how they will be involved using the table below.

Stakeholder	Role / Relevance / Interest
<i>Insert Rows as Necessary</i>	

Declarations and Understanding

<p>Has any director / partner ever been disqualified from being a Company Director under the Company Directors Disqualification Act (1986) or ever been the proprietor, partner or director of a business that has been subject to an investigation (completed, current or pending) undertaken under the Companies, Financial Services or Banking Acts?</p>	<p>Yes / No</p>
<p>Has any director / partner ever been bankrupt or subject to an arrangement with creditors or ever been the proprietor, partner or director of a business subject to any formal insolvency procedure such as receivership, liquidation, or administration, or subject to an arrangement with its creditors</p>	<p>Yes / No</p>
<p>Has any director / partner ever been the proprietor, partner or director of a business that has been requested to repay a grant under any government scheme?</p>	<p>Yes / No</p>
<p>If your answer is “yes” to any of these questions, please give details on a separate sheet of paper of the person(s) and business(es) and details of the circumstances. This does not necessarily affect your chances of being awarded grant.</p>	
<p>I am content for information supplied here to be stored electronically and shared in confidence with other public sector bodies who may be involved in considering the case.</p> <p>I confirm as the applicant I have not committed, nor shall commit, and Prohibited Act.</p> <p>I understand that if I give information that is incorrect or incomplete, grant may be withheld or reclaimed and action taken against me. I declare that the information I have given on this form is correct and complete.</p> <p>I also declare that, except as otherwise stated on this form, I have not started the project which form the basis of this application and no expenditure has been committed or defrayed on it.</p> <p>I confirm that I have full authority from the appropriate level within the applicant organisation to enter into this application and any subsequent Grant Funding Agreement.</p> <p>I understand that any offer may be publicised by means of a press release giving brief details of the project and the grant amount.</p>	
<p>Signature of Applicant</p>	
<p>Print Full Name</p>	
<p>Designation</p>	
<p>Date</p>	

Outline Business Case

Applicant Details

Project Name	
Project Applicant	
Organisation Type	
Company Registration Number (or equivalent)	
VAT Number	
Senior Responsible Owner	
Contact Name (if different to SRO)	
Applicant Address	
Applicant Postcode	
Location of Project	
Email	
Telephone	
Mobile	

Guidance

This document provides a template for an Outline Business Case (OBC), in support of an investment – project, procurement or scheme.

In all cases a Strategic Outline Business Case (SOBC) should have been completed and agreed prior to the submission of this document for approval.

The focus of the Outline Business Case is on identifying the different options for delivery and how the chosen option has been identified.

Please note that this template is for guidance purposes only and should be completed in accordance with the guidelines laid down in the HM Treasury's Green Book

<https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government>

The level of information provided should be proportionate to the size and complexity of the scheme proposed. Project over £5 million are considered to be large schemes.

Appendix Checklist

Appendix Document	Appendix Number (if applicable)	Comments (e.g. if not included, why? Indicate if this will be included at FBC)
Most recent Audited Accounts		
Most recent Management Accounts		
Most recent Bank Statement (within last 3 months)		
Economic Appraisal (if project is over £5m)		
Estate Plan (Skills Capital Projects Only)		
Full Options Appraisal		
Evidence of Match Funding		
Project Plan / GANTT Chart		
Risk Register		
Detailed Elemental Cost Plan		
Site Plans and Designs		
Cash Flow forecast for duration of project		
Cash Flow forecast for applicant for 12 months following completion of project		
Insurances (Public, Professional, Employers)		

Appendix Document	Appendix Number (if applicable)	Comments (e.g. if not included, why? Indicate if this will be included at FBC)
Equality and Diversity and People Management Policies		
Health and Safety Policy		
Procurement Policy		
Evidence of Land Ownership (or valuations, / agreed Heads of Terms etc. if relevant)		
Statutory Permissions (Planning and other appropriate consents including discharge of any Planning Conditions)		
Stakeholder Management Plan / Communications Strategy		
Independent Legal State Aid Opinion		
De Minimis Checklist (if application is under de minimis)		

Summary Information

Project Description

Please provide a summary description of your project in no more than 250 words

Total Project Cost £	
Grant Request £	
Intervention Rate % (Grant request as a percentage of the total project cost)	
Proposed Start Date	
Proposed Practical Completion Date	
Proposed Date for Completion of Outputs	

Key Outputs to be Delivered by the Project

Jobs Created (FTE)		Jobs Safeguarded (FTE)	
No of Houses		Public / Private Investment £	

Learning Opportunities		Premises with access to Superfast Broadband	
Premises created (m2)		Premises refurbished (m2)	
Businesses Assisted		Other (please list below)	
Is this scheme linked to any other applications to the Cumbria LEP? If yes please list scheme(s) below.	Yes:		No:
Has the applicant previously received funding via Cumbria LEP? E.g. Capital Development Funding. If yes please provide details below.	Yes:		No:
Has any of the summary information altered since the SOC was considered by CLEP? If yes please provide details below.	Yes:		No:
Is any of the information contained in the application is of a commercial nature and should not be published? If yes please provide details of relevant sections below.	Yes:		No:
Please note CLEP is required to publish all final investment decisions in line with its Local Assurance Framework.			

Strategic Dimension

The strategic dimension outlines the case for change, including the rationale for intervention. It specifies the current situation, what is to be done and what outcomes are expected. It also addresses how the project fits with wider policies and objectives.

1.1 Challenge or opportunity to be addressed

Please describe the key characteristics of the problem to be addressed and / or the opportunity presented. Provide an overview of the evidence supporting this, referencing external documents where necessary.

1.2 Why has the issue not been addressed previously?

Please provide a summary of why this issue has not been addressed prior to this application.

1.3 What would the impact be if the issue was not addressed?

This should describe the current situation and the impact of continuing with the current arrangements (business as usual) without making any changes.

1.4 What are the aims of the project?

Please describe the overall aims or desired outcomes that the project hopes to achieve and how this will address the problem or maximise the opportunity identified.

1.5 How will the aims be achieved?

Please clearly outline the scope of the project. A small set (around 5 or 6) of Specific, Measurable, Achievable, Realistic and Time-limited (SMART) objectives should be identified. They should ideally include the outcomes that are the rationale for the proposal and in some cases the outputs required to deliver them.

1.6 What would the impact be if the project did not receive CLEP funding?

This should describe the impact on the scheme if CLEP funding was not received. For example would the scheme proceed with no change, are there alternative sources of funding, or would the scheme not go ahead at all, or be reduced / delayed? If an alternative solution would be implemented please clearly identify how this would differ from the proposed scheme.

1.7 Organisational Objectives

What are the overall objectives of the applicant organisation? Please detail how the project addresses these and why the applicant organisation is the best placed to deliver the proposed project. If the scheme has involved partners in the design and development, or will include partners in its delivery, these should also be referenced here.

1.8 Local Industrial Strategy Strategic Fit

How does the project fit with the emerging priorities identified in Cumbria's Local Industrial Strategy?

1.9 Wider Policy Context Strategic Fit

How does the project fit with other key documents and relevant local and national policies? For Skills Capital projects, specific reference should be made to the Estate Plan, and how the project demonstrates fit within this.

1.10 Risks, Constraints and Dependencies

What are the key risks, constraints and dependencies of the project identified in relation to the Strategic Case? This should include consideration of external factors and the potential impact upon the project.

Risks:	
Constraints:	
Dependencies:	

Economic Dimension

The economic dimension determines the net value to society (the social value) of the intervention compared to continuing with Business As Usual. It specifies the risks and their costs, and outlines how they are best managed. It determines which option reflects the optimal net value to society.

Please note that ALL projects over £5 million (total project cost) require a Full Economic Appraisal which should be appended to the OBC (see Appendix Checklist), which can be cross-referenced in this section.

If a full Options Appraisal has been undertaken and is appended to the OBC this can also be cross referenced within section 2.1.

2.1 Strategic Assessment of Alternative Options

2.1.1 Long Listed Options

Please detail the long list of options considered to deliver the strategic objectives identified.

2.1.2 Critical Success Factors

Please identify the critical success factors (important factors that would be critical in assessing how options could contribute towards the objectives); including any relevant information regarding how these have been defined and agreed, noting if there have been any changes since the submission of an SOBC.

2.1.3 Long Listed Option Assessment

Please detail the process used to shortlist options, including reference to critical success factors where relevant.

2.1.4 Short Listed Options – Strategic Assessment

Please detail the short listed options considered to address the identified issue. This should include the reference case ('business as usual' (BAU) option), the proposed scheme as well as alternative options.

	Option 1 Reference Case (BAU)	Option 2 Proposed Scheme	Option 3	Option 4
Option Name The name by which the option is known				
Option Description A summary description of the project, highlighting key differences between the proposed scheme and the option.				
Technical Assessment and Appraisal The level of technical assessment or appraisal undertaken – including previous studies / relevant data to assess the option				
Indicative Cost (£) The indicative cost for the project and information on how this has been calculated.				

<p>Impact against Strategic Objectives</p> <p>How the option delivers against the strategic objectives set out in 1.4</p>				
<p>Key Risks</p> <p>Key technical, funding (inc. affordability) and delivery risks associated with the option</p>				
<p>Rationale for Rejection / Selection</p> <p>Why the option has been rejected / selected</p>				

2.2 Value for Money

2.2.1 VFM – Transport Projects

Transport projects should use the attached spreadsheet to complete the relevant Appraisal Summary Table and clearly summarise the Benefit Cost Ratio (BCR) in the space below.



Tag-worksheet-appraisal-summary-table.ods

<p>BCR (VFM Statement):</p>	
------------------------------------	--

2.2.2 VFM – Non Transport Projects

Non-transport projects should complete the Appraisal Summary Table below, or outline the approach used to calculate VFM in comparison to alternative options in the space at 2.2.4

	Option 1 Reference Case (BAU)	Option 2 Proposed Scheme	Option 3	Option 4
Net Present Social Value Present the estimate of the net present social value for the option (outlining the economic assumptions used to calculate this in 2.2.3)				
Public Sector Cost (or appropriate value for cost)				
Appropriate Benefit Cost Ratio				
Significant unmonetizable costs / benefits				
Significant unquantifiable factors				
Risk costs by type and residual optimism bias				
Switching Values				
Time Horizon and Reason				

2.2.3 Economic Assumptions

Please present economic assumptions used to calculate the above

Discount value	
Optimism Bias	
Deadweight	
Displacement	
Leakage	
Substitution	
Apportionment	
<i>Other relevant assumptions</i>	<i>Insert rows as necessary</i>

2.2.4 If an alternative approach to calculating VFM in comparison to alternative options has been used, please outline the method and summarise the findings in the space below. As a minimum, CLEP expect a BCR for the preferred option to be stated, with supporting evidence and reasons for the selection of the preferred option.

--

2.3 BREEAM

Please provide details of the anticipated BREEAM rating. The expectation is that new-builds will achieve 'Excellent' and refurbishments will achieve 'Very Good'. Confirm what work has been done to establish that the appropriate standard will be achieved.

--

Commercial Dimension

The commercial dimension considers whether the scheme is commercially viable and presents evidence of risk allocation

3.1 Commercial Viability

3.1.1 Please identify the approach taken to assess commercial viability of the scheme including reference to any market research undertaken

3.1.2 Is the project expected to achieve a commercial return on investment?

Yes:

No:

If yes, please note that CLEP may require further information in the format of longer term cash flows or impact assessments in addition to those referenced within the appendix checklist.

3.2 Procurement

3.2.1 Is a procurement strategy in place that will be used for the project?

Yes:

No:

3.2.2

If yes, please ensure that it is appended to the OBC (see Appendix Checklist), and this can be cross referenced in this section.

If no, please detail the procurement route and strategy that will be used for the project. This should include: details of the procurement mechanism to be used; details of whether it is an existing framework or contract; the timescales associated with the procurements; and details of other routes considered for delivery and why these were rejected.

If there are different elements to be procured within the project, please identify the procurement strategy for each element.

It should be noted that if the applicant is a private sector organisation and the request for public sector funding forms more than 50% of the total project costs then procurement is required to be compliant with public procurement regulations. If the applicant is a private sector organisation requesting less than 50% from the public sector there remains the requirement for the process to be fair, transparent and competitive.

3.3 Risk Identification and Allocation

Please provide a risk register detailing risks within the commercial case including: impact; likelihood; allocation; and mitigation measures. If this is appended to the OBC it can be cross referenced in this section.

3.4 Contract Management

Please provide the contractual arrangements for delivering the proposed scheme. An organogram may be useful.

3.5 Constraints and Dependencies

What are the constraints and dependencies of the project identified in relation to the Commercial Case? This should include consideration of external factors and the potential impact upon the project. Relevant elements of the risk register can be cross referenced in this section.

This should include confirmation that the applicant is not subject to any contractual or other restriction imposed by its own or any other organisation's rules or regulations or otherwise which may prevent or materially impede it from meeting its obligations in connection with this Grant request.

3.6 Social Value

Please demonstrate how the project will deliver social value.

3.7 Sustainability

Please demonstrate how the project will contribute towards the sustainability agenda.

3.8 State Aid

Please note that an independent legal state aid opinion is usually a requirement at OBC stage.

3.8.1 Has an independent legal state aid opinion been undertaken and appended to the OBC (see Appendix Checklist)?

Yes:

No:

3.8.2 If no, please detail why, and with reference to the General Block Exemption Regulation and other State Aid frameworks explain why the proposed scheme is considered compatible with State Aid regulations.

Financial Dimension

The financial dimension focuses on affordability. It considers the impact of the proposal on the public sector budget in terms of the total cost and presents evidence on funding arrangements, technical accounting issues and the financial profile of the project.

4.1 Project Costs				
4.1.1 Has a detailed elemental cost plan been appended to the OBC (see Appendix Checklist)?	Yes:		No:	
4.1.2 Please complete the table below, summarising the project costs using a maximum of 5-6 Budget Headings. Please ensure the total expenditure matches the total project cost identified within the Summary Information.				
Cost Heading	2019/20	2020/21	2021/22	Total
<i>Insert Cost Heading</i>				
<i>Insert Cost Heading</i>				
<i>Insert Cost Heading</i>				
<i>Insert Cost Heading</i>				
Total Expenditure				
4.1.3 Please identify the stage of the costs i.e. indicative costs, full tendered costs etc.				

4.2 Funding Package

4.2.1 Please complete the table below, profiling the funding package for the project. Please ensure that the total funding package matches the total expenditure, and that the total from Cumbria LEP matches the Grant Request in the Summary Information.

Match Funder	2019/20	2020/21	2021/22	Total
Cumbria LEP				
<i>Insert Match Funder</i>				
<i>Insert Match Funder</i>				
<i>Insert Match Funder</i>				
Total Funding				

4.2.2 Please identify the status of the match funding below. If not yet secured, a date should be given of when this is expected to be in place. Evidence of any confirmed match funding should be appended to the OBC (see Appendix Checklist).

Match Funder	Status (including relevant appendix reference / date expected etc.)
Cumbria LEP	
<i>Insert Match Funder</i>	
<i>Insert Match Funder</i>	
<i>Insert Match Funder</i>	

4.3 Contingency

Please provide evidence of what contingency has been applied to the project costs and the basis for how this has been calculated. If this has been calculated as a quantified sum based on the estimated cost and the likelihood of risks, please append any relevant documents and cross reference within this section.

4.4 Financial Procedures

Please outline the organisational financial procedures and confirm the process for dealing with conflicts of interest, fraud and systems in place to deal with the prevention of fraud and / or administrative malfunction.

4.5 Risk Identification and Allocation

Please provide a risk register detailing risks within the financial case including: impact; likelihood; allocation; and mitigation measures. If this is appended to the OBC it can be cross referenced in this section. Specifically this should include:

4.5.1 Cost Overruns

Identify how cost over runs will be managed and / or shared with other parties / funding bodies. Cumbria LEP will not be able to fund cost over runs and will be capped at the offer awarded.

4.5.2 Delivery Timescales

Identify how delivery timescales will impact upon the cost of the project and how this is to be managed / allocated.

Management Dimension

The management case ensures there are realistic and robust delivery plans and how the proposal will be delivered.

5.1 Scheme Management

Please identify the management structure for the delivery of the project. This should include the SRO (identified within Summary Information) and assign key responsibilities to individuals / organisations. The governance arrangement and reporting structure should be clearly identified. An organogram may be useful.

5.2 Project Delivery

5.2.1 Has a Project Plan / GANTT Chart been appended to the OBC (see Appendix Checklist)?

Yes:

No:

5.2.2 Please identify the key milestones (e.g. securing planning; commencement of groundworks) which should demonstrate that the project is deliverable within the timescales identified.

Milestone Description	Date
Project Start	
<i>Insert Key Milestone</i>	
<i>Insert Key Milestone</i>	
<i>Insert Key Milestone [add rows as necessary]</i>	
Practical Completion	
Project End Date (ensuring factors such as retention are taken into account)	

5.2.3 Please describe the track record of the applicant organisation in delivering schemes of this type, including whether they were completed to time and budget.

5.3 Output Delivery

5.3.1 Please complete the table below, profiling the outputs to be delivered by the project. Please ensure that the totals match those identified in the Summary Information.

Output	Baseline This should provide the current level of output in order to create a baseline against which to measure	2019/20	2020/21	2021/22	Future Years up to and including 2024/25	Total (Do not include the Baseline figure)
Jobs Created (FTE)						
Jobs Safeguarded (FTE)						
No of Houses						
Public / Private Investment £						
Learning Opportunities						
Premises with access to superfast Broadband						
Premises created (m2)						
Premises refurbished (m2)						

Businesses Assisted						
<i>Other e.g. increase in turnover [delete / insert rows as necessary]</i>						

5.3.2 Please complete the table below for each type of output identified to be delivered by the project. This should describe precisely what the indicator is and how it will be measured. The responsibility for reporting outputs to CLEP following the practical completion of the project should be taken into consideration. If there is a separate benefits realisation plan in place for the project, this can be appended to the OBC and cross referenced.

Output / Result	Definition	Data to be collected	Tool / Method	Frequency	Responsible Owner
<i>Insert rows as necessary. E.g. Jobs Created</i>	<i>E.g. New jobs created by the investment</i>	<i>E.g. Number of FTE staff employed minus the number of FTE staff employed at start date of project</i>	<i>E.g. Payroll records</i>	<i>E.g. Quarterly until end date of project. Annually following practical completion</i>	<i>E.g. Finance Manager</i>

5.4 Evaluation

Please describe what process is in place to evaluate the project. This should include the associated cost and how this will be met. All projects are expected to complete a final evaluation report and projects over £3m (grant) are expected to carry out an evaluation in line with the Magenta Book. CLEP will also have requirements with regard to ongoing reporting, and consideration should be given as to how this will be completed by the applicant following practical completion of the project.

--

5.5 Land Ownership						
5.5.1 Do you (applicant) own the Freehold? If yes, please append evidence (e.g. certificate of title).	Yes:		No:		N/A:	
5.5.2 If not, do you have Freeholder permission? If yes, please append evidence.	Yes:		No:		N/A:	
5.5.3 If not owned yet, are you in the process of buying the freehold? If yes, please append any relevant documentation e.g. Heads of Terms	Yes:		No:		N/A:	
5.5.4 If leasehold, does the project comply with the lease agreement? If leasehold, please append lease.	Yes:		No:		N/A:	
5.5.5 Are there any additional issues in relation to land ownership that may be relevant to the delivery of the project of which we should be aware e.g. Rights of Access etc.? If so, please provide information below.						
5.6 Permissions						
5.6.1 Is Planning Permission required for the project?	Yes:		No:			
5.6.2 If yes, has this been obtained? If yes, please append evidence. Evidence will also be required of the discharge of any conditions	Yes:		No:			
5.6.3 If no, what date is this expected?						
5.6.4 Please identify below details of all other statutory powers or consents that are required for the project						
Type	Status (Obtained or Outstanding)		Comment (include date to be achieved, conditions, any challenge period etc.).			
<i>Insert rows as necessary</i>						

5.7 Stakeholder and Communication Management

5.7.1 Is there a Stakeholder Management Plan / Communications Strategy in place for this project?

Yes:

No:

If yes, please ensure that it is appended to the OBC (see Appendix Checklist).

If no, please detail the stakeholders for the scheme and how they will be involved using the table below.

Stakeholder	Role / Relevance / Interest	Consultation / Communication Method	Frequency
<i>Insert rows as necessary</i>			

5.8 Document Retention

If a grant is awarded, documentation relating to this grant must be kept for a period in line with the Funding Agreement, which may be up to 12 years. Please detail how this will be done and the responsible owner.

5.9 Security

Please confirm the form of security you propose to offer against any Grant awarded. Details of the nature of the security, when the security will be in place, any existing charges or other encumbrances, and who will put in place the security if not the applicant, should be identified.

Declarations and Understanding

Has any director / partner ever been disqualified from being a Company Director under the Company Directors Disqualification Act (1986) or ever been the proprietor, partner or director of a business that has been subject to an investigation (completed, current or pending) undertaken under the Companies, Financial Services or Banking Acts?	Yes / No
Has any director / partner ever been bankrupt or subject to an arrangement with creditors or ever been the proprietor, partner or director of a business subject to any formal insolvency procedure such as receivership, liquidation, or administration, or subject to an arrangement with its creditors	Yes / No
Has any director / partner ever been the proprietor, partner or director of a business that has been requested to repay a grant under any government scheme?	Yes / No
<p>If your answer is “yes” to any of these questions, please give details on a separate sheet of paper of the person(s) and business(es) and details of the circumstances. This does not necessarily affect your chances of being awarded grant.</p>	
<p>I am content for information supplied here to be stored electronically and shared in confidence with other public sector bodies who may be involved in considering the case.</p> <p>I confirm as the applicant I have not committed, nor shall commit, and Prohibited Act.</p> <p>I understand that if I give information that is incorrect or incomplete, grant may be withheld or reclaimed and action taken against me. I declare that the information I have given on this form is correct and complete.</p> <p>I also declare that, except as otherwise stated on this form, I have not started the project which form the basis of this application and no expenditure has been committed or defrayed on it.</p> <p>I confirm that I have full authority from the appropriate level within the applicant organisation to enter into this application and any subsequent Grant Funding Agreement.</p> <p>I understand that any offer may be publicised by means of a press release giving brief details of the project and the grant amount.</p>	
Signature of Applicant	
Print Full Name	
Designation	
Date	

APPENDIX S – FULL BUSINESS CASE TEMPLATE

2.2 Value for Money:

Please describe to what extent the proposed scheme has been assessed in terms of value for money.

VFM should also include reference to the proposed scheme 's economic, social and environmental and public accounts impact (in line with DfT's Transport appraisal framework).

2.3 Economic Assumptions

Please describe the economic assumptions made.

2.4 Sensitivity and Risk

If applicable, please describe how changes in economic, environmental and social factors could affect the impact of the proposed scheme in terms of its benefit and costs.

2.5 Value for Money Statement

Using the AST (excel spreadsheet below) please include a summary of the conclusions from the Value for Money assessment. The statement should provide a concise summary of the proposed schemes economic, environmental, social and public accounts impact.



Tag-worksheet-appraisal-summary-table.›

For non transport projects please demonstrate how the BCR for the project has been calculated.

APPENDIX T – TRANSPORT SCHEMES WEBTAG

Appraisal Summary Table		Date produced:	Contact:				
Name of scheme:						Name	
Description of scheme:						Organisation	
						Role	Promoter/Official
Impacts	Summary of key impacts	Assessment					
		Quantitative			Qualitative	Monetary £(NPV)	Distributional 7-pt scale/ vulnerable grp
Economy	Business users & transport providers	Value of journey time changes (£)					
		Net journey time changes (£)					
		0 to 2min	2 to 5min	> 5min			
	Reliability impact on Business users						
	Regeneration						
	Wider Impacts						
Environmental	Noise						
	Air Quality						
	Greenhouse gases	Change in non-traded carbon over 60y (CO2e)					
		Change in traded carbon over 60y (CO2e)					
		Landscape					
		Townscape					
	Historic Environment						
	Biodiversity						
	Water Environment						
Social	Commuting and Other users	Value of journey time changes (£)					
		Net journey time changes (£)					
		0 to 2min	2 to 5min	> 5min			
	Reliability impact on Commuting and Other users						

	Physical activity					
	Journey quality					
	Accidents					
	Security					
	Access to services					
	Affordability					
	Severance					
	Option and non-use values					
Public Accounts	Cost to Broad Transport Budget					
	Indirect Tax Revenues					

APPENDIX U - PROJECT CHANGE CONTROL AND APPROVAL

Project Name:	
Project Ref No:	
Case Officer:	
Change Control Raised by:	
Change Ref No:	
Date Completed:	
1. Please confirm the key change(s) proposed to the project:	
<input type="checkbox"/> change to loan / grant value <input type="checkbox"/> change to sources or amounts of match funding <input type="checkbox"/> change to LEP Funding or match funding contribution rates <input type="checkbox"/> change to scope of project activity <input type="checkbox"/> change to outputs and/or results <input type="checkbox"/> change to total project budget <input type="checkbox"/> change to project duration <input type="checkbox"/> other: Please specify below:	
2. Please provide a brief explanation for the proposed change(s);	
<ul style="list-style-type: none">• Provide a reason for each change requested• Detail the current position and the change requested for each change i.e. from / to• If the change(s) involve a fundamental change to the way the project is being delivered please describe this in full• Financial and output changes should be detailed in the appropriate Annexes	

3. Please outline changes required to other key project documentation and/or systems

Database

Loan / Grant Agreement – Deed of Variation

Other: Please detail below:

4. Please explain the impact on the Project of the change request not being approved

- Provide details on the impact on budget and targets (e.g. would there be an under spend / reduction in outputs and/or results if the request was not approved?)

<p>5. Does this Change (or the cumulative effect of the changes) result in a +/- 10% variation to either outputs or costs?</p> <ul style="list-style-type: none"> • Under 10% and NOT a material change = Investment Panel Chair sign off • Over 10% OR a material change= Investment Panel decision (detail the date of the IP below) 	Yes / No
---	-----------------

Approval

	Accept / Reject / Defer	Signature	Date
Case Officer:			
CCC Accountable Body:			
LEP IP Chair:			

Approval Conditions / Comments

APPENDIX V – AUDIT PLAN 2021/2022

PROGRAMME	VALUE	GRANT PAYMENT TO AB	PROJECT COMPLIANCE-LIVE	PROJECT COMPLIANCE – POST FINANCIAL COMPLETION	PROGRAMME AUDIT REQUIREMENTS	PROGRAMME AUDIT- POST FINANCIAL COMPLETION	INCLUDED IN 20/21 AUDIT PROGRAMME	AUDIT TYPE AB INTERNAL AB EXTERNAL CLEP EXTERNAL	Audit Dead-line	Notes
Growth Deal	£60.3m over five years	Annual Section 31 Grant payment over 5 year programme	Payment of claims through defrayed expenditure, or upfront payments in accordance with financial due diligence by the Accountable Body supported by enhanced monitoring schedule.	Post Completion Benefits Monitoring Post Completion Asset Verification in line with State Aid requirements	Audit in line with requirements of the Local Assurance Framework	<i>Update if additional GVMT guidance provided</i>	Yes	AB Internal	End of Quarter 4 2021	
Cumbria Infrastructure Fund	£6.1m capital in two payments	Lump sum payment and Income on repayments	Loans- Upfront Payment repaid through plot resales or standing orders Grants- Payment of claims through defrayed expenditure Risk Based Monitoring Visit at least once in project	Post completion loan repayments Post Completion Benefits Monitoring Post Completion Asset Verification in line with State Aid requirements	Audit in line with requirements of the Local Assurance Framework	<i>Update if additional GVMT guidance provided</i>	Yes	AB Internal	End of Quarter 4 2021	

PROGRAMME	VALUE	GRANT PAYMENT TO AB	PROJECT COMPLIANCE- LIVE	PROJECT COMPLIANCE – POST FINANCIAL COMPLETION	PROGRAMME AUDIT REQUIREMENTS	PROGRAMME AUDIT- POST FINANCIAL COMPLETION	INCLUDED IN 20/21 AUDIT PROGRAMME	AUDIT TYPE AB INTERNAL AB EXTERNAL CLEP EXTERNAL	Audit Dead- line	Notes
			life time with increased frequency for higher risk projects							
Growth Hub	£462k per annum	Funding drawn down on a quarterly basis (Invoice to BEIS)	Payment is on receipt of invoice in line with the terms and conditions of the offer letter		Programme Offer Letter Requirement- Annual Independent audit of programme expenditure and outputs by 31 st May 2022	<i>Update if additional GVMT guidance provided</i>	Yes	AB Internal	31 st May 2022	Not paid via Section 31 Grant.
Enterprise Advisor Network and Careers Hub	Programme and Staff Funding together with match funding contribution of CLEP to Enterprise Co-ordinator posts	1) Salaries Funding - Claim to Careers and Enterprise Company (CEC) based on processed claim	Payment on invoices from LEP Budget.		Audit in line with requirements of CEC Offer Letter	<i>Update if additional GVMT guidance provided</i>	Yes	CLEP External	End of Quarter 3 2022	Not paid via Section 31 Grant.
		2) Activities Funding - funds received 'up-front' from CEC	Payment of claims to Inspira though evidence of defrayed expenditure							

PROGRAMME	VALUE	GRANT PAYMENT TO AB	PROJECT COMPLIANCE-LIVE	PROJECT COMPLIANCE – POST FINANCIAL COMPLETION	PROGRAMME AUDIT REQUIREMENTS	PROGRAMME AUDIT- POST FINANCIAL COMPLETION	INCLUDED IN 20/21 AUDIT PROGRAMME	AUDIT TYPE AB INTERNAL AB EXTERNAL CLEP EXTERNAL	Audit Dead-line	Notes
		with quarterly reporting on spend								
LEP Core and Strategic	£500k pa	Funding paid on annual basis	Budget monitoring through CLEP Internal System Monthly Board Report to LEP Board.	N/A	Audit in line with requirements of the Local Assurance Framework		Yes	CLEP External	End of Quarter 1 2023	Not paid via Section 31 Grant.
Northern Cultural Regeneration Fund	£3.95m over three years	Annual Section 31 Grant payment over three year programme	Payment of claims through defrayed expenditure Risk Based Monitoring - Visit at least once in project lifetime with increased frequency for higher risk projects	Post Completion Benefits Monitoring Post Completion Asset Verification in line with State Aid requirements	Annual Accountable Body audit Grant Determination letter for completion each year by 31 st May 2020	<i>Update if additional GVMT guidance provided</i>	Yes	AB Internal	31 st June 2022	
Skills Advisory Panel	£75k over one year	Annual Section 31 Grant payment	Payment is on receipt of invoice in line with the terms and conditions of the offer letter		The local areas shall provide use of funds statements, confirming the grant received and spent was	<i>Update if additional GVMT guidance provided</i>	Yes	CLEP External	End of Quarter 1 2023	

PROGRAMME	VALUE	GRANT PAYMENT TO AB	PROJECT COMPLIANCE-LIVE	PROJECT COMPLIANCE – POST FINANCIAL COMPLETION	PROGRAMME AUDIT REQUIREMENTS	PROGRAMME AUDIT- POST FINANCIAL COMPLETION	INCLUDED IN 20/21 AUDIT PROGRAMME	AUDIT TYPE AB INTERNAL AB EXTERNAL CLEP EXTERNAL	Audit Dead-line	Notes
					used wholly for the purposes for which it was given. For the financial year 20-21.					