

Minutes from the Cumbria LEP Investment Panel Meeting held at 10:00am on Wednesday 12th September 2018 at Redhills, Penrith

Note: Prior to starting the meeting the Chief Executive confirmed that the meeting was quorate as per the current Terms of Reference, which required 3 members to be present. This was confirmed prior to the meeting starting. Additionally, she asked that a private sector member volunteered to act as Chair. Rob Johnston volunteered to do this.

Attendees:

Panel Members

Rob Johnston (Private Sector Member) (Acting Chair)

Peter Hensman (Private Sector Member)

Alison Hatcher (Public Sector Member)

Officers

Sami Falou (BEIS)

Eleanor Farrell (CCC)

Jo Lappin (LEP)

Fiona Parker (S151)

Ruth Pugsley (MHCLG)

Corrine Watson (LEP)

1.1 Welcome

In the absence of the Investment Panel Chair Rob Johnston agreed to be the Chair for the meeting.

The LEP Chief Executive introduced Fiona Parker to the Panel, who has replaced Pam Duke as the Accountable Body S151 representative. The Chair welcomed Fiona to the Group. The Chair asked that the minutes recorded the Investment Panel's thanks to Pam Duke for her representation and contribution to the workings of the Panel and requested that a letter of thanks be sent. **Action: LEP Executive to send a letter of thanks on behalf of the Investment Panel to Pam Duke.**

2. Apologies

2.1 Apologies were received from Jackie Arnold, Simon Sjenitzer and David Southward.

3. Declarations of Interest

3.1 The Chair requested that where an interest has been declared, the minutes should record whether the Member leaves the meeting for that item.

A declaration of interest was noted from Alison Hatcher in relation to projects in the Programme Up-date report where CCC is the delivery body.

4. Minutes of the Previous Meeting

4.1 The minutes of the previous meeting were agreed as an accurate record.

5. Matters Arising

5.1 The Declarations of Interest template has not yet been sent out to Investment Panel Members

Action: Cumbria LEP to send Investment Panel Members the Cumbria LEP's Register of Interest template for completion and for this template to be returned to Corinne Watson.

4.3 The options paper relating to CIF is still being developed as updates are outstanding for Portland Square, Cross-a Moor and Kingmoor Park.

Action: CIF options paper to be brought to the November Investment Panel.

6. Revised Local Assurance Framework – Terms of Reference and Membership

PART II – RESTRICTED ITEM - NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH(S) 3 OF PART I OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972, AS THIS REPORT CONTAINS EXEMPT INFORMATION RELATING TO FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE AUTHORITY HOLDING THAT INFORMATION)

6.1 The LEP Chief Executive updated the panel on the progress of revising the Local Assurance Framework (LAF).

7. Risk Register – Review and Update

PART II – RESTRICTED ITEM - NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH(S) 3 OF PART I OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972, AS THIS REPORT CONTAINS EXEMPT INFORMATION RELATING TO FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE AUTHORITY HOLDING THAT INFORMATION)

7.1 The Investment Panel was advised that under the revised Terms of Reference for the Investment Panel, the Panel would be responsible for the monitoring and management of a risk register. .

7.2 The Investment Panel discussed the scope of the risks to be managed by the LEP Board and the Investment Panel. It was proposed that the Investment Panel would review and manage a risk register relevant to the programmes and projects for which it is responsible but that the LEP Board would be responsible for all LEP risks. The LEP Chief Executive agreed with the approach and advised that the revised Terms of Reference would be amended accordingly and an overarching risk register produced.

Action: LEP Executive to produce an overarching risk register for agreement by the CLEP Board. .

Action: LEP Executive to work with Accountable Body Officers to develop the programme and project element of the risk register with clearer descriptions and mitigation.

8. Programmes Update

PART II – RESTRICTED ITEM - NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH(S) 3 OF PART I OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972, AS THIS REPORT CONTAINS EXEMPT INFORMATION RELATING TO FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE AUTHORITY HOLDING THAT INFORMATION)

8.1 The LEP Growth Deal Programme Manager presented the LEP Programmes Update highlighting key issues for the Growth Deal and CIF Programmes.

The GD026 SIS project was approved by Written Procedure in August. This project is now in the Contracting phase.

9. Carlisle Airport - Update

PART II – RESTRICTED ITEM - NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH(S) 3 OF PART I OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972, AS THIS REPORT CONTAINS EXEMPT INFORMATION RELATING TO FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE AUTHORITY HOLDING THAT INFORMATION)

9.1 The Investment Panel was updated on the progress of the contracting for the Airport project.

10. Business Case Decisions

LEP Ref	Business Case Stage	Funding Programme	Decision
LEP054	Strategic Outline Case	For consideration	Approve for inclusion on the LEP Pipeline and to be invited for Outline Business Case if funding becomes available.
NCRF	Full Business Case	Northern Cultural Regeneration Fund	<p>Approval of £2,299,545 of Northern Cultural Regeneration Funding to Lakeland Arts for the World Heritage Way (Windermere Jetty) project awarded under Article 53 Aid for Culture and Heritage Conservation.</p> <p>The project was approved to deliver the following outputs:</p> <p>Jobs Created: 14</p> <p>Participation opportunities/skills development: 32,421</p> <p>Additional Visitors: 411,597</p> <p>Net additional Expenditure: £17,257,776 per annum</p> <p>FTE Jobs supported (indirect): 320</p> <p>Gross value added: £9,871,766</p> <p>RDPE Growth Programme match funding: £420,000</p> <p>The approval is subject to:</p> <p>PRE CONTRACT CONDITIONS</p> <p>(1) A Monitoring and Evaluation Plan needs to be developed as a condition of the funding and will be a schedule to the Funding Agreement. This will include the NCRF Quarterly Monitoring Form.</p> <p>(2) NCRF offer letter grant conditions relating to eligible expenditure to be included in the Grant Agreement to Lakeland Arts.</p> <p>(3) A claims forecast has been provided as part of the Delivery Plan, however, this will need updating to reflect the revised profile agreed with DCMS.</p> <p>(5) Confirmation of the profile for the visitor numbers for the 3 projects within the programme.</p> <p>PRE PAYMENT CONDITIONS</p> <p>(6) Confirmation that conditions relating to the Planning Permission have been satisfactorily discharged is</p>

			<p>required pre-payment.</p> <p>(7) A copy of Lakeland Arts tender procedures and copies of the works contracts relating to individual procurements already undertaken to be provided pre-payment.</p> <p>(8) Partnership agreement between Lakeland Arts and Wordsworth Trust in respect of the World Heritage Lake District project to be in place pre-payment and a copy provided.</p> <p>(9) World Heritage Lake District Project Board governance arrangements including roles and responsibilities, change management process and terms of reference to be provided pre-payment.</p> <p>(10) Evidence of Match funding of £523,000 from Lakeland Arts</p> <p>(11) Appropriate security for the LEP funding to be put in place based on the advice of the Accountable Body Legal Services, to include a review of the lease between the Landlord and Lakeland Arts, to be able to exercise the repayment of grant in the event funding conditions are not met.</p> <p>(12) A brief quarterly update on the project should be provided at the end of June, September, December and March in each financial year for which the grant has been paid.</p> <p>(13) Only capital costs will be eligible expenditure in the Grant Agreement to Lakeland Arts. Grant claims must include evidence that costs are capital expenditure.</p> <p>(14) Lakeland Arts is responsible for any funding short-fall and for ensuring completion of the project and delivery of the outcomes.</p> <p>(15) All project procurement should follow public procurement law. On completion of each stage of future tender processes beneficiary to provide evidence of the assessment and award and confirmation of final Cost Plan acknowledging that Lakeland Arts will be responsible for any cost over-runs.</p> <p>(16) Publicity and written material relating to the NCRF project that is published on behalf of the beneficiary (including press releases, leaflets, posters, brochures, and reports as well as any online material) should</p>
--	--	--	--

			<p>acknowledge DCMS' financial contribution through the use of the DCMS logo. The use of the DCMS name and logo should be in accordance with any guidelines DCMS issues from time to time.</p> <p>(17) The State Aid amount shall not exceed the difference between the eligible costs and the operating profit of the investment.</p> <p>(18) At least 80% of either the time or the space capacity per year is used for cultural purposes.</p>
--	--	--	--

11. Write Off Procedure

PART II – RESTRICTED ITEM - NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH(S) 3 OF PART I OF SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972, AS THIS REPORT CONTAINS EXEMPT INFORMATION RELATING TO FINANCIAL OR BUSINESS AFFAIRS OF ANY PARTICULAR PERSON (INCLUDING THE AUTHORITY HOLDING THAT INFORMATION)

The LEP Chief Executive introduced the proposal for a Write Off Procedure.

Action: The LEP Chief Executive and Accountable Body Section 151 Officer to revise policy to include steps prior to write off.

It was agreed that once introduced the policy should be used to write off the outstanding debt of £132, 979.37 paid to Andrew Wilson under the CIF programme.

It was agreed that once approved the policy should not be in the public domain.

Date and Time of Next Meeting

The next meeting was scheduled for 10.00am on Wednesday 7th November 2018.