

CHESHIRE EAST COUNCIL

Cabinet Member for Housing and Planning

Date of Meeting: 6 October 2017
Report of: Executive Director of Place
Subject/Title: Neighbourhood Planning Grant Funding Applications - Disley
Portfolio Holder: Councillor Ainsley Arnold: Housing and Planning

1.0 Report Summary

- 1.1 A decision was taken to close the Neighbourhood Planning Grant Scheme in December 2016. At the time one outstanding application was under consideration from Disley Parish Council. It was agreed that on submission of further information, this application would be considered against the Policy for the Allocation of Neighbourhood Planning Grants (the Policy), included in this report at Appendix 1.
- 1.2 In June 2017 the requested information was provided and the report considers the neighbourhood grant funding application submitted by Disley Parish Council.
- 1.3 This funding request is for works already completed. Since the original request has been made, substantive progress on the neighbourhood plan has been achieved with a draft (regulation 14) plan now currently under consultation. It is anticipated that the neighbourhood plan will be complete and submitted to the Cheshire East Council in the autumn.

2.0 Recommendation

It is recommended that the Portfolio Holder for Housing and Planning does not approve this application for grant funding.

3.0 Reasons for Recommendation

- 3.1 The Policy sets out the approach the Council has taken to allocate funding to designated bodies preparing neighbourhood plans. Up to £7000 per designated body was available to support neighbourhood planning activity. Funding applications were assessed against the criteria held in the policy and applications that seek to allocate development sites, support the Cheshire East Local Plan Strategy and demonstrate creativity and innovation were encouraged.
- 3.2 One of the key criteria against which funding applications are determined was whether the host organisation holds substantial free reserves. At the time the application was made Disley parish Council held over £125,000 in reserves. Since that time the Parish Council has committed to fund a series of activities and improvements, primarily investment in the community centre of £60, 0000, which has reduced the amount of reserves the Council, holds to circa £28,000.

3.3 Disley Parish Council have requested funds for the items below.

Amount applied for: £3560

| | |
|-------------------------------------|-------|
| Questionnaire | £1310 |
| Distribution: | £200 |
| Banners: | £100 |
| Survey and analysis (by CEC) | £1705 |
| OCSI Report: | £45 |
| Additional survey analysis (by CEC) | £200 |
| Total: | £3560 |

3.4 The Parish Council hold reserves which could be used. There is a general reserve of £28.6k (21% of precept) which is not ring-fenced for any activity. The Parish Council are raising their precept for 2017/18 and anticipate increasing this reserve to £37.5 (25%).

4 Wards Affected

4.1 Disley

5.0 Local Ward Members

5.1 Councillor Harold Davenport

6.0 Policy Implications

6.1 Neighbourhood plans, once 'made' (adopted) by Cheshire East Borough Council will form a statutory part of the Development Plan for the Borough and used to inform planning decisions.

7.0 Implications for Rural Communities

7.1 Neighbourhood plans enable rural communities to participate in the plan making process and develop policies to address those planning matters that affect their interests and well being. The neighbourhood planning process generally allows greater engagement of rural communities and for such communities to take ownership of planning policy which directly affects their lives.

8.0 Financial Implications

8.1 The financial implications are outlined in section 3 of the report

9.0 Legal Implications

9.1 The Council has the powers to award grants to organisations using its general power of competence in section 1 of the Localism Act 2011. In exercising the power the Council must satisfy its public law duties. In essence this means that in making the decision the Council must have taken into account only relevant considerations, followed procedural requirements, acted for proper motives and

not acted unreasonably. A grant policy is a clear statement of the criteria that the Council is applying and is essential if the Council is to defend any challenge to its decision making process.

9.2 Cabinet has approved and Cheshire East Council has put in place a Policy for the Allocation of Grants to Voluntary and Community Organisations 2015/16. This Policy deals with the allocation of community grants which are awarded to defined Organisations following an application process and against set criteria. There are conditions requiring that Organisations report back to the Council upon expenditure of the grant and to enable further appropriate conditions to be imposed. The decision making process was delegated to the Portfolio Holder in order ensure that decisions can be made expeditiously and at the appropriate level.

9.3 Grant funding organisations based on the application of the Council's grant policy satisfies the Council's public law duties.

10.0 Risk Management

10.1 There are no key risks arising from the is recommendation

11.0 Background and Options

11.1 Applications received and allocated in accordance with Cheshire East Council's Neighbourhood Planning Grants Policy.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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13.0 Appendixes:

Appendix 1: Policy for the Allocation of Neighbourhood Planning Grants 2014/15

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Background

Cheshire East Council operates a Neighbourhood Planning Grants Scheme within the boundaries of Cheshire East. This Policy addresses the governance arrangements, procedures and monitoring process to facilitate the scheme.

The aim of the Neighbourhood Planning Grants Scheme is to support Local Councils or Neighbourhood Forums with the preparation of Neighbourhood Plans, specifically to support the commissioning of support for technical planning advice, consultation, community engagement and the commissioning of relevant evidence necessary toward plan making.

Grants will be awarded that meet the priorities in the Sustainable Community Strategy – [Ambition for All](#), and support the Strategic Priorities held within the emerging Local Plan Strategy for Cheshire East. Both documents are available from the Council's website in the Community and Living section.

When using the term grants in this Policy it refers to the giving of a fixed amount of Council funds to Organisations through an application and assessment process which takes place on a rolling basis across the financial year.

Legal and Budgetary Framework

The Housing and Jobs Portfolio Holder, (or whichever Portfolio Holder has responsibility for Neighbourhood Planning Grants at the time of making the grants decisions), will be responsible for the Neighbourhood Planning Grants Scheme and has delegated authority to approve applications for grants from Local Organisations (Local Councils and Neighbourhood Forums) to assist in developing Neighbourhood Plans, subject to the maximum amounts set out in the General Conditions of this Policy.

The Neighbourhood Planning Grant budget is fixed and so there is a limited amount of money from which to pay Neighbourhood Planning Grants under this policy.

Funding may not be available in future financial years and is dependent on future budget allocations.

All grant decisions will be made based on the set of principles, set out in this Policy, and within the agreed budget approved by Council each year. The budget for the grants is managed carefully and flexibly to ensure that the Council has money available throughout the year. As far as possible the Council try to ensure that no one is disadvantaged due to the time of year they apply.

Given the fixed budget and the Council's aim to benefit as many Organisations as possible, the Council cannot guarantee to fund the maximum amount applied for; therefore Organisations must ensure that they have procedures in place to cover the balance of funding required. The Council will not pay a grant unless the Organisation can demonstrate that the balance of the funding is available.

The Portfolio Holder will be responsible for setting aside a proportion of the available budget for promotion and publicity purposes, as required.

Application Process

The Cheshire East Neighbourhood Planning Grants Scheme operates within set criteria, agreed by the Portfolio Holder and relevant Council Officers in line with the Council's Corporate Priorities as follows:

How to Apply

Applications for Community Grants must be made using the Council Neighbourhood Planning Grant application form and associated guidance notes that are available online on the Council's website and as a paper version on request.

The application form must be completed in full. Incomplete application forms will be rejected. A copy of the Organisation's signed Constitution must be sent with the application form or within 7 days of submitting the application. If this is not received the application will be deferred and may result in the application being declined. Supporting documentation (listed under section 8 of the application form) may

also be requested prior to the application being fully considered. Failure to supply all required documentation will result in the application being treated as incomplete.

Grants may be paid retrospectively where it can be evidenced that any work commenced prior to acceptance of the grant offer was for the purposes of preparing a Neighbourhood Plan. In such circumstances, grant applications will be considered but there is no presumption that the grant will be awarded

Organisations that have received existing financial support from Cheshire East Council toward preparing a Neighbourhood Plan will not be eligible for support from this grant scheme.

All successful applicants will be required to complete a post grant monitoring report.

What can be Funded:

Grants up to £7,000 are available to support Organisations who are preparing Neighbourhood Plans. Grants are specifically awarded to support the following:

Personnel support:

- Technical support i.e., project planning and management, evidence review, policy writing.
- Facilitation i.e., hosting public meetings, workshops
- Specialist advice and training

Activities:

- Community engagement and consultation i.e., promotional materials, venue hire, equipment hire

Evidence:

- Commissioning of specialist studies to support Neighbourhood Plan policies

What Cannot be Funded:

- Organisations which hold substantial free reserves, including local branches of national or regional Organisations which hold free reserves that could be utilised;
- Assistance with providing transport;
- Refreshments and/or accommodation;
- Outings, day trips;
- Travel expenses;
- Events which do not involve members of the local community participating;
- Loan against loss or debt;
- Administration expenses i.e. postage, telephone, utilities etc.
- Running costs i.e. gas, electricity, water, salaries, insurance etc.
- Land purchase;
- Vehicle purchase;
- Organisations which are not based in Cheshire East, unless they can demonstrate significant community benefits within Cheshire East.

Who can apply:

To qualify for a grant Organisations must meet the criteria listed below:

- Be a Local Council or Neighbourhood Forum, or Business Neighbourhood Forum
- Operate within the Cheshire East area;
- Provide value for money
- Have a set of audited accounts, or as a minimum an Organisation bank statement, and are able to provide such information as the Council reasonably requires in order to satisfy the Council as to the Organisations financial position and its need for the assistance requested;
- Have a constituted management committee with a signed Constitution;

- Have appropriate safeguarding policies relevant to their Organisation where children, young people or vulnerable adults are involved, which must include a requirement that staff / volunteers must be cleared with the Disclosure and Barring service;
- Have their own bank or building society account with two signatories;
- Complete the application form in full, providing all required information;

Criteria for Funding:

Priority will be given to applications for projects and activities which:

- Are based in Cheshire East;
- Enhance the quality of life for Cheshire East residents;
- Support the priorities identified in the Sustainable Community Strategy, Ambition for All, available from the Council's website in the Community and Living section;
- Support the strategic planning priorities as established in the draft Local Plan Strategy
- Increase involvement in the community;
- Attract more participants/volunteers;
- Demonstrate the potential to be sustained in the future;
- Show innovation and creativity;
- Have funding contributions from the Organisations own funds and/or funding support from other bodies in place or promised;
- Demonstrate a knowledge and understanding of their community.
- Demonstrate a willingness and desire to submit a draft Neighbourhood Plan to Cheshire East Council within one calendar year

General Conditions:

Grants are classed as one-off and should not be seen as repeat funding;
Annual applications from the same Organisation for the same purpose will not be considered. Grants will be awarded to a maximum of £7,000.

Organisations who are in receipt of other funding from the Council may apply to this grant scheme if the grant is required for a one-off project which is considered additional to the service already funded.

Any profits from events must be used to further develop the Organisation or for any future events and not used to support other Organisations.

Organisations must be committed to and have policies on equalities and inclusion and in delivering the services or activity the Organisation must not unlawfully discriminate, directly or indirectly against any of the nine protected characteristics which are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation. The Organisation can direct some or all of its activities at specific groups where the intention is to address discrimination or disadvantage.

Organisations must be able to participate in a monitoring process and provide monitoring information to evidence how the grant money has been spent and adherence to the conditions of the grant. This must include receipts or invoices and a written report of the project, activity or event, plus photographs if possible, on completion.

Organisations must acknowledge the support of Cheshire East Council in press releases, publicity and advertising etc.

The Organisation will allow Cheshire East Council to use details of the grant award, together with any relevant photographs supplied, in newsletters and on the Council's Website.

It must be recognised that the Council holds the right to refuse grant applications. Expenditure incurred on a project, activity or event prior to the grant decision being given by the Council, is the sole responsibility of the Organisation responsible for entering into such an agreement.

Organisations must notify the Council of any changes in circumstances which affect their financial position throughout the period in which the grant monies are being used.

The grant must only be used for the purposes specifically stated in the application form, should it be spent in any other way, without written approval from the Council, the Organisation may be asked to return some or all of the monies paid.

If the project, event or activity is cancelled or only partially achieved, or if the Organisation is wound up, any unused grant money must be returned to the Council.

All conditions, under which the grant has been awarded, including any Special Conditions, must be met. Failure to do so could result in the Organisation being asked to repay the grant monies to the Council.

Decision making process:

The Neighbourhood Planning Grant applications will be considered on a rolling basis at the earliest opportunity once an application is received.

Having assessed an application a Recommendations Report is prepared for consideration by the Portfolio Holder at a public decisions meeting.

Following the public meeting, a decisions report is circulated to all elected members who must make any comments within 5 working days (the "Call-in Period").

Should any comments/objections be made during the 5 day Call-in Period a further public meeting is held to discuss the comments/objection(s) and adjust and make further recommendations.

Special Conditions may be added in the Recommendations Report, by the Portfolio Holder following the public meeting and/or following comments received during the Call-in Period if considered necessary in order to ensure that the purpose of the grant funding is achieved. If the project is dependent on other factors such as securing match funding a Conditional Offer may be made subject to these conditions being met.

If there are no objections (or after the follow up public meeting), the decisions will be treated as final and Organisations will be notified to inform them of whether they have been successful or not as soon as possible after the Call-in Period has ended and generally within 6 weeks after the closing date for each round of applications.

Complaints about any aspect of the Community Grant process will be dealt with under the Council's Corporate Complaints Procedure. A copy of the [Council's Corporate Complaints, Compliments and Suggestions Policy](#) is available from the Council's website.

Monitoring and Record Keeping

Following a successful application and in order to ensure that monies are used in an appropriate manner, as set out in this Policy, a monitoring report will be required following project completion. This report shall include, but shall not be limited to, how many people benefitted from the project, if a profit was made and how it was used, how the grant money was used and what difference the project made to the Organisation and/or local people.

The Council reserves the right to monitor the use of the grant and ask for evidence to support an application.

The Organisation must allow reasonable access to premises/accounts upon request from the Council.

Organisations must retain records relating to the grant for an appropriate period (to be advised depending on the grant).

If Organisations do not supply the required monitoring reports and supporting information in full and within the set time scale they may be asked to repay the grant funding to the Council. Failure to comply with the conditions of this grant may be taken into account when considering any further applications for grant funding made by the same Organisation in the future.