

CHESHIRE EAST COUNCIL

Cabinet Member for Strategic Communities

Date of Meeting: 27th January 2014
Report of: Principal Manager, Local Area Working
Subject/Title: Policy for the Allocation of War Memorial Grants
Portfolio Holder: Cllr D Brown

1.0 Report Summary

- 1.1 To enable Cheshire East Council to allocate £100,000 to fund repairs and refurbishment of First World War memorials across the Borough.

2.0 Decision Requested

- 2.1 To adopt the Policy for the Allocation of War Memorial Grants.

3.0 Reasons for Recommendations

- 3.1 Following the announcement of the £100,000 War Memorial Fund, it has been necessary to produce a policy, application form and guidance notes in order to accept applications and allocate the funding available.

4.0 Wards Affected

- 4.1 The recommendations relate to all wards within Cheshire East

5.0 Local Ward Members

- 5.1 All Ward members

6.0 Policy Implications (including carbon reduction and health)

- 6.1 Positive Impact

7.0 Financial Implications (authorised by Director of Finance and Business Services)

- 7.1 The recommendations will enable grant applications for the financial year of 2014/2015 to be funded within existing budget provision.

8.0 Legal Implications (authorised by Borough Solicitor)

- 8.1 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. In all cases there is a condition requiring a report back to the Council on the expenditure of the grant. Consideration should also be given in each case to the imposition of other appropriate conditions.

8.2 The Constitution states as follows:

F31 The Cabinet Member will on a periodical basis, agree a policy setting down the approach to be taken to the allocation of grants, donations and other contributions to outside bodies. This should specify the scale, nature and terms of such support, criteria for prioritisation and the process for allocation.

Delegation of the decision making process to the Portfolio Holder with ensure that decisions can be made expeditiously and at the appropriate level.

- 8.4 Grant funding organisations based on the application of the Council's grant policy satisfies the Council's public law duties. Grants fall outside the public procurement regime. In awarding a grant the Council cannot exhibit the same amount of control over the organisation as is commensurate with a contract. Essentially, the terms of the grant should set out what the purpose of the grant is for and only claim claw back provisions in the case of the grant funding being used for other purposes or otherwise improperly.

9.0 Risk Management Implications

- 9.1 This paper and policy aim to mitigate the risk of Cheshire East Council unfairly allocating money to applicants and to account for the stewardship of public money and demonstrate its priority of ensuring quality and value of public services in delivering its planned community outcomes.

Corporate Risk Links

CR4 Threat – Financial Control

CR6 Opportunity – Evidenced Decision Making

CR7 Threat – Reputation

CR18 Threat – Legal

CR19 Threat – Fraud

10.0 Background and Options

- 10.1 A decision is required to enable the allocation of war memorial grants to voluntary and community organisations and Town and Parish Councils.

11.0 Access to Information

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

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