

000CHESHIRE EAST COUNCIL

Cabinet Member for Communities

Date of Meeting: Monday 27th July 2015
Report of: Principal Manager – Partnerships and Communities
Subject/Title: Policy for the Support to Infrastructure Organisations for 2015/16
Portfolio Holder: Cllr Les Gilbert

1.0 Report Summary

- 1.1 To agree a policy which sets out how Cheshire East Council will support Infrastructure Organisations to assist the Voluntary and Community Sector (VCS) and Town and Parish Councils (Local Councils) to develop and thrive.

2.0 Decision Requested

- 2.1 To adopt the amended policy for the Support to Infrastructure Organisations and agree the funding grants as listed below in 3.2

3.0 Reasons for Recommendations

- 3.1 The Partnerships team work closely with infrastructure organisations across the Borough, who offer support to the VCS and Local Councils. The purpose of the support is to increase the capacity and capability of the VCS and the Local Councils across Cheshire East.
- 3.2 To achieve the policy's aims and objectives, it is proposed that Cheshire East Council directly award funding grants to three infrastructure organisations; Community and Voluntary Services Cheshire East (CVSCE) a total of £146,838; Cheshire Community Action (CCA) a total of £16,323 and Cheshire Association of Local Councils (ChALC) a total of £14,213 giving a total grant award of £177,374.
- 3.3 As we work towards becoming a fully commissioning council, we are working with these infrastructure organisations to grow capacity in the above sector and to prepare organisations and enable them to engage with a competitive process. Consideration is being given going forward as to whether to fund future provision by way of grants, contracts or a mixture of both but in any event a competitive bidding/tendering process will be undertaken.
- 3.4 All organisations are aware that in the next financial year, the process will be for competitive tendering rather than directly awarded grants.

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 the three grant awards for 2015/2016 to be funded within existing budget provision.

8.0 Legal Implications (authorised by Borough Solicitor)

8.1 In deciding whether to directly award a grant consideration must be given to the facts and circumstances in which a direct grant award is being proposed as set out in paragraph 3 (as opposed to awarding a grant following a competitive bidding process or going out to tender) together with the identified risks (paragraph 9) and be satisfied that in making a direct award the Council is meeting its public law duties.

8.2 The Council has the powers to award a grant to support the 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.

8.3 There is currently no overarching Council policy/framework by which grant funding should be allocated and in principle a direct grant award can be made. The proposed Policy for Support to Infrastructure Organisations sets out the aims and objectives in grant funding infrastructure organisations and it is also noted that the Council is moving to a commissioning model and that a competitive process is being developed.

8.5 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 with 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. The Council will not be able to assess the quality of the services that are being provided to those requiring welfare advice and determine to withdraw grant funding on that basis (except at the end of the period of the grant funding).

9.0 Risk Management Implications

9.1 The risk of not agreeing an approach to support to Infrastructure Organisations is that the VCS and local councils may not receive the specialised support required in order to both continue and to thrive, resulting in a loss of community benefit.

10.0 Background and Options

10.1 A decision is required to agree the funding amounts as listed in 3.2 and to adopt the Policy for Support to Infrastructure Organisations in 2015/16.

11.0 Access to Information

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

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