

POLICY, GOVERNANCE & FINANCE COMMITTEE

Date: Monday, 25 March 2024

Title: Discretionary Grants Policy Review

Contact Officer: Deputy Town Clerk

Background

As set out in the policy, the Town Council ‘periodically reviews the criteria for awarding grant-aid to community organisations.’ The last review took place in March 2022.

It should also be noted that the Council awards further grants from specific budgets which is not directly tied to this fund, but under which terms they are awarded unless set out in specific terms and conditions and/or a service level agreement.

Current Situation

To take account of changes in regulations and to strengthen the current terms key, points for inclusion include:

Discretionary Grant Aid Budget

The current policy states the Town Council will, ‘Review the grant-aid budget annually’ which it does during the budget-setting process. The annual budget for the provision of discretionary grants is £20,000 (2024/25).

This amount has been in place for several years and is comparable with town councils of a similar size.

Frequency of Awards (bi-annually)

At the time of the last review in 2022, the Committee resolved to have two award periods in the year, at the January and June meetings of the Policy, Governance & Finance Committee.

Since the last review of the policy, it has been necessary to consider applications at other meetings of the Committee due to time constraints for the applicant (and the benefit to Witney residents) but generally, the bi-annual awards have worked successfully.

Council Aims & Objectives

The Council has agreed the following draft objectives as part of the emerging Strategic Plan. In offering financial support, all applicants should be able to identify which objective it helps progress.

1. A vibrant local economy – promote local businesses and help develop locally controlled economies which put Witney first whilst preserving and enhancing our history and unique identity.
2. An engaged and supported community – actively seek engagement with all residents and work with others to enable them to lead safe, healthy and fulfilling lives.

3. A beautiful Witney – further improve and develop our open spaces and work to protect and enhance our environment.
4. A forward-looking Town Council – represent residents and businesses on key strategic issues facing the town.
5. An empowered community – encourage collaboration for the overall success of the town through the facilitation and championing of change programmes and initiatives.
6. A respectful community – promote inclusivity and always treat people fairly and with respect regardless of race or racial group, sex or sexual orientation, religion or belief, age or disability

The Council may wish to add that if the request does not meet one of these objectives it will be discounted by the Committee.

Support for Ecclesiastical Properties

As members of the Committee will be aware, there was, for some time unclear guidance on whether parish/town councils could provide funds for churches and ecclesiastical charities due to conflicting legislation.

The National Association of Local Councils (NALC) have offered guidance on this subject following the insertion of a new section (19a) into the Local Government Act 1894 by the Government in 2023.

‘The government’s view is that its amendment in the form of section 19A clarifies that the 1894 Act does not affect the discretionary powers of parish councils in England to fund church repairs or improvements or property held for an ecclesiastical charity. NALC recommends that its members adopt the government’s view when they receive requests for funding. This means that councils can use their discretionary powers to fund such property, including that of other Christian denominations and non-Christian faiths. It applies in the case of:

- *Specific powers to fund works - for example, repairs to clocks fixed to church property (section 2 of the Parish Councils Act 1957) and the maintenance of open churchyards (section 214 of the Local Government Act 1972 (the 1972 Act)).*
- *General powers to fund work where works are not covered by a specific power - section 137 of the 1972 Act and the general power of competence can also be used by councils to fund requests for works not covered by specific powers.*

What will parish councils need to consider when receiving funding requests?

Councils need to consider requests in respect of church property or property held for an ecclesiastical charity as they would any other funding request. Funding powers further to section 19A of the 1894 Act coming into force are discretionary. Parish councils are not under any additional duties as a result of the 2023 Act and the insertion of section 19A to the 1894 Act.’

Social Value

In the 2023/24 fiscal year it was not possible for all requests to be fully granted and it is increasingly difficult for the Council to decide on how to judge one applicant above another in decision-making. Officers suggest adding the following lines,

- 4.1.1 *The Council recognise the social, economic and environmental value attributed to the services provided by Community Organisations/Groups and charities to residents.*
- 4.1.2 *Applicants should be able to identify the additional benefits of their application and demonstrate how this improves their lives*

Grant Monitoring

There are several grants provided as contributions to running costs of an organisation. While it may be possible for some of these to provide a written report, the Committee should recognise that it is not possible to provide a specific detailed breakdown of what the town council has funded.

Subsidised Letting

The Council currently has no specific terms and conditions for subsidised lettings. Officers have therefore incorporated this into the attached draft terms and a question will be added into the application form.

Equality

In addition to the inclusion of point 5 of the Council's objectives, officers have included a section on equality and legislation. This is to ensure that applicants recognise that funds may be recalled if they are found not to be adhering to legislation and therefore damaging the Council's reputation by association.

Confidentiality, Transparency & Data Protection

The Council must exercise excellent governance and good practice in relation to grant awards.

It must be made clear to applicants that the application form will be made available publicly (fewer personal details). Applicants should be aware of commercial confidentiality, what may be shared in line with legislation.

Environmental impact

Having declared a Climate Change Emergency at its Council meeting on 26 June 2019 Councillors should have due regard to the environmental impact of any decisions they make with regard to its facilities and services it operates.

Risk

In decision making Councillors should give consideration to any risks to the Council and any action it can take to limit or negate its liability.

Social Value

Social value is the positive change the Council creates in the local community within which it operates.

Financial implications

Governance on awarding grants is not covered within the Council's financial regulations so it is within its power to change the award criteria as it sees fit within other legislation.

Grant Awards are provided under the General Power of Competence unless there is an alternative power available.

Recommendations

Members are invited to note the report and accompanying update Grants Policy and consider the following:

1. Adopting the policy with marked changes as set out above effect from 1 April 2024.