

EAST AYRSHIRE COUNCIL

CABINET MEETING – 18 MAY 2011

FUNDING REQUEST FROM DARVEL & DISTRICT COMMUNITY COUNCIL AND REQUEST FOR DELEGATED AUTHORITY TO COVER GRANTS UNDER THE RESTORING COMMUNITIES PROGRAMME

Report by Depute Chief Executive/Executive Director of Neighbourhood Services

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek approval to provide grant funding of £15,000 to Darvel & District Community Council for environmental improvements at Hastings Square, Darvel under the Restoring Communities Programme and to ask cabinet to recommend to Council, that the Scheme of Delegation be amended to provide the Head of Planning & Economic Development delegated authority in relation to the Restoring Communities Programme.

2. BACKGROUND

- 2.1 Darvel & District Community Council was established - "To ascertain, co-ordinate and express to the local authority for its area, to other public authorities and other interested bodies, the views of the community which it represents." It also carries out fund raising and environmental improvements to the public realm within the area. The Community Council is managed by a board of 6 members. There are a total of 16 members representing the community on the Darvel & District Community Council.
- 2.2 The Darvel & District Community Council is seeking a grant to carry out additional environmental improvement works at Hastings Square, Darvel. Funding to support the environmental improvements is available for the project under the Restoring Communities Programme (RCP).
- 2.3 Darvel & District Community Council obtained planning consent for a range of environmental improvements at Hastings Square, Darvel in May 2003. Since then they have obtained funding and carried out these works on an ad hoc basis. This has ensured that the planning consent remains valid. The land is in Council ownership.

3. FUNDING REQUEST FROM DARVEL & DISTRICT COMMUNITY COUNCIL

- 3.1 The Darvel & District Community Council are seeking funding towards the improvement of Hastings Square, Darvel. The proposal are to remove 8 ground level flower beds and the slab path at the Square, make good the existing levels, then re-surface the square with falls as appropriate to ensure adequate run-off to existing drainage channels. It is also proposed to purchase and install 8 mild steel planters painted black with gold lettering to replace the existing flower beds. Also as part of this project the Darvel & District Community Council propose to install an additional finger to the existing finger post showing the direction to "Lochfield" the former home of Alexander Fleming.

3.2 The Roads Service has been consulted on the proposed works and has requested that a condition be attached to any offer of grant requiring that the applicant contact the Roads Service to agree access to the site and the protection of existing services prior to the commencement of the works.

~~3.3~~ Three competitive quotes have previously been sought for the civil works relating to a larger scheme that the community council have been unable to fund. Subsequently, the community council have sought quotes for the civil works elements listed above from the company who provided the lowest quote for the larger scheme.

3.4 The total project cost is:-

Civil Engineering Works	£10,512
8 No. Planters & 1 No. Finger Post Sign	<u>£ 5,786</u>
Total Project Cost	£16, 298 Inc VAT

3.5 The Darvel & District Community Council are seeking a grant of £15,000 towards the total project costs of £16,298. This represents a 92 % grant for this work.

4. REQUEST FOR DELEGATED AUTHORITY TO COVER GRANTS UNDER THE RESTORING COMMUNITIES PROGRAMME

4.1 The Restoring Communities Programme (RCP) has been successful in developing, implementing and establishing sustainable regeneration projects within priority areas, in partnership with the local communities. The RCP delivers high quality, sustainable regeneration projects to targeted communities based on an analysis of Scottish Index of Multiple Deprivation (SIMD) statistics and is making a difference to the lives of these communities. In particular, the issue of Town Centre Regeneration and vacant and derelict properties is and will continue to be addressed as a priority.

4.2 The RCP had an allocation of £257,000 in 2010/11 and Cabinet on the 3 February 2011 agreed an allocation of £230,000 for 2011/12 from the former Fairer Scotland Fund (FSF).

4.3 The Restoring Communities Programme's was previously funded through the Fairer Scotland Fund. The RCP funding was allocated to the Community Planning Partnership Board who delegated funding of projects to the Head of Planning & Economic Development. Following a review of the Fairer Scotland Fund in 2010/11 the Scottish Government agreed to cease this fund. The RCP has however been maintained by the Scottish Government with funds being provided directly to the Council. This means that the authority to make decision on the RCP now lies with the Council and not the Community Planning Partnership Board. As a consequence of this change the Head of Planning and Economic Development must bring all proposals for funding to cabinet.

4.4 As a result of the change to funding for the Restoring Communities Programme the existing grant application from Darvel & District Community Council for £15,000 has been required to be reported to Cabinet. This has caused a delay in the implementation of the project and the proposed allocation has had to be the subject

of an earmarking request from the existing 2010/11 Restoring Communities Programme FSF budget allocation.

- 4.5 To avoid funding delays in the future from RCP Fund it is proposed that the requirement to seek cabinet authority for the approval / dispersal of all future grants be delegated to the Head of Planning & Economic Development, and that the Scheme of Delegation be amended accordingly.
- 4.6 To ensure the maximum flexibility of the Restoring Communities Programme it is recommended that the level of delegation be similar to that recently agreed by members in relation to the Cumnock Conservation Area Regeneration Scheme (CARS) where delegated authority was granted to the Head of Planning & Economic Development to approve CARS small grant applications up to £30,000.

5. LEGAL & FINANCIAL IMPLICATIONS

- 5.1 Darvel & District Community Council has submitted financial accounts for the year ended 31 March 2010, and 3 months bank statements as requested. These show that at the time of submission the community council had a balance of £3,201.37, of which approximately £2,000 was ring fenced for the Darvel Gala Day.
- 5.2 The proposed allocation of £15,000 is subject to an earmarking request from the existing Restoring Communities Programme FSF budget allocation for 2010/11. If unsuccessful £15,000 could be accommodated within 2011/12 budget allocation.
- 5.3 The grant will be subject to the Restoring Communities Programme (RCP) Standard Conditions of Grant, (See Appendix 1) and will be fully spent before 30 September 2012, or an alternative date to be agreed by the Council.

6. POLICY & COMMUNITY PLAN IMPLICATIONS

- 6.1 This project contributes to the achievement of East Ayrshire Community Plan's aims and aspirations of the "Delivering Community Regeneration" Action Plan to protect and improve the natural and built environment.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications resulting from this report.

8 RISK MANAGEMENT IMPLICATIONS

- 8.1 All offers of grant are subject to a condition requiring that "The Council will not accept liability for any damages or injuries associated with projects or equipment for which grant assistance has been given by the Council".
- 8.2 Darvel & District Community Council shall take its own professional insurance advice regarding the relevant insurance and Health and Safety exposures arising from the project and shall satisfy itself that adequate insurance, and full legislative compliance with all Health and Safety related requirements, (applicable in the United Kingdom), has been put in place to protect the assets and liabilities arising from these works, and to protect employees and third parties from death or injury, both during the contract period and following practical completion thereof.

8.3 The financial risks associated with the implementation of the Restoring Communities Programme will be minimised by compliance with the Council's Accounting Policy Bulletins, APB 27A and APB 27B.

9. RECOMMENDATION

9.1 It is recommended that Cabinet:-

- (i) approves the funding request from the Darvel & District Community Council for the sum of £15,000 on the basis of the above report, and subject to the RCP Standard Conditions of Grant and the specific condition relating to the applicant contacting the Roads Service to agree access to the site and the protection of existing services prior to commencement of the works, and a specific insurance condition as per 8.2 above;
- (ii) agrees to recommend to Council that delegated authority be given to the Head of Planning & Economic Development to approve Restoring Communities Programme grant applications up to £30,000 and that the Scheme of Delegation be amended accordingly;
- (iii) otherwise note the contents of the report.

Elizabeth Morton
**Depute Chief Executive/
Executive Director of Neighbourhood Services**

27 April 2011
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LIST OF BACKGROUND PAPERS

1. Report to Cabinet – SRRB – Strand 3: Fairer Scotland Fund Review - 3 November 2010
2. Report to Cabinet – Regeneration Projects & Budget Allocations – 2 July 2008

Anyone wishing further information should contact Karl Doroszenko, Development, Planning & Regeneration Manager, Tel: 01563 576751

Implementation Officer: Alan Neish, Head of Planning and Economic Development

Restoring Communities Programme

Standard Conditions

The following conditions apply to all East Ayrshire Council grants for voluntary organisations

- 1.** Grant monies must be expended within a period (not normally exceeding 12 months) from the date of approval, unless the nature of the project or other circumstances warrant the payment over a longer period. Where this is the case applicants should request an extension of the period of the grant at the stage of accepting the conditions of grant and should indicate the reasons for the request. No guarantee can be given that any request for extension of the period will be granted. A progress report will normally be requested within 6 months.
- 2.** Organisations must not be party political.
- 3.** If the costs actually incurred in any project are less than the amount approved, the remainder of the grant must be returned to the Council. If a project costs less than the original estimates, savings shall be divided proportionally between the applicant and the Council unless otherwise agreed.
- 4.** If actual expenditure exceeds the amount of grant, only the amount approved will be paid. The applicant may choose either to meet the balance or make a supplementary application for grant. There is, however, no guarantee that any supplementary application will be approved.
- 5.** If a body that has received a grant is disbanded, then any goods, equipment or facilities purchased from the grant will revert to the Council. If the goods, equipment or facilities have been lost, stolen or damaged and not replaced all monies obtained from their insurance will revert to the Council.
- 6.** You must use the grant for exactly the project you applied for. You cannot pay the grant to any other organisation. If you use the grant for other purposes or give or sell items bought with the grant to another owner, you will have to repay the grant to the Council.
- 7.** Where it is intended that organisations dispose of equipment funded or supplied free of charge by East Ayrshire Council then notification of intention to dispose should be made to the sponsoring Department for consideration and approval. For information and advice call the helpline on 01563 576135.
- 8.** Grants will be made wholly to the group making application and expended in accordance with grant conditions and must not be passed to a third party without the express approval of the Council.
- 9.** Any equipment should be in the charge of a named person at a given address in secure premises and must be adequately insured and regularly maintained by a qualified person. Any equipment should be supplied by a bona fide supplier and should comply with all statutory obligations under all relevant Health and Safety legislation
- 10.** If applicable, details of ongoing maintenance provision should be submitted and approved by the Council within three months of the grant award.
- 11.** This grant has been awarded on the understanding that any planning permissions/ building warrants etc will be obtained. Applicants will be required to ensure that they meet all other statutory requirements. Evidence of compliance may be required before payment is made.
- 12.** Where a project involves improvement of premises or requires possession of land, the applicant will require to be the owner or tenant (on a lease for five years or more) of the premises or land before a grant will be released.

13. If the project is one that involves and is dependent upon contribution from a number of bodies, payment of grant will not be made until the Council is satisfied that such contributions are forthcoming.

14. The Council may require you to give due recognition of the Council's contribution in all publicity material.

15. All financial records in connection with any project that receives grant aid from the Council must be available for random inspection if required by an Officer of the Council or by the Council's Internal and External Auditors.

16. The Council will not accept liability for any damages or injuries associated with projects or equipment for which grant assistance has been given by the Council

17. The Council welcomes applications from religious organisations that want to carry out work in the community, but the Council does not normally fund projects or activities:

- that are designed primarily to promote religion itself; or
- where people must take part in religious services in order to benefit.

18. Voluntary organisations providing a service to children and young people under 18 years of age which are in receipt of a grant from the Council, must comply with the requirements of the Protection of Children (Scotland) Act 2003. Such organisations should be registered with Disclosure Scotland or affiliated to an umbrella organisation that is registered with Disclosure Scotland.

19. All organisations that provide a service to children and young people must have a Child Protection Policy. This policy should be brought to the attention of all staff and/or volunteers at least once a year.

20. No public monies disbursed by the Council, in the form of grants or otherwise, to any external body or organisation shall be expended by the recipient body or organisation in a manner which would result in any payment being made for any purpose to any political party or any separate body, company or other legal entity subsidiary to, or otherwise associated with, any political party.