Kingston St Mary Parish Council

Grants and Donations Policy

SEPTEMBER 2020

1. INTRODUCTION

1.1 The 'Kingston St Mary Parish Council' (Council) frequently receives requests from charities, social enterprises and other not for profit organisations for financial support. These include locally based community groups and branches of national organisations. This policy sets out the Council's approach for awarding 's.137[1] Grants and Donations' (Grants and Donations).

1.2 The Council is committed to providing financial support to local organisations working to improve community life for the benefit of local residents. This financial support is provided by way of Grants and Donations, out of money provided by the council tax payers of Kingston St Mary Parish. The Council therefore has a responsibility to satisfy itself that any Grants or Donations it awards are for the benefit of Parish residents.

1.3 Unfortunately, the Council may not be able to fund all community groups, as there may be more applications than there is money available. However, all applications will be carefully considered.

1.4 A Grant is an award made by the Council for the benefit of the local community, which must be spent on the agreed project or activity. A Donation is an award made by the Council, without the need to be specific on how it will be spent. For example, a Donation may be given towards the Summer Fayre without being specific about what it is spent on, whereas a Grant would be given towards the cost of a specific project such as the purchase of litter picking equipment.

2. REGULATORY FRAMEWORK

2.1 A parish council has a number of powers granted under various Acts of Parliament which enable it to spend money[2]. Where there is no statutory power the Council may use 'section 137 of the Local Government Act 1972' (s.137), to make donations and grants to community organisations. S.137 permits the Council to provide financial support, up to a fixed amount, on anything which in the opinion of the Council provides a direct benefit to the Parish, or any part of it, or is in the interest of all or some of its inhabitants. In addition, the direct benefit must be commensurate with the expenditure incurred.

2.2 The total annual amount available to the Council to spend under s.137 is prescribed by Government. It is calculated using a 'resident rate' times the number of residents on the Parish electoral roll on 1st January before the start of the financial year. The resident rate for 2020/21 is £8.32 per elector, which is linked to the Retail Price Index, and there are currently 740 electors in the Parish.

2.3 Under this legislation, the Council has no obligation to spend all or any of the money available under s.137 and will agree an appropriate contribution towards Grants and Donations as part of its annual budget setting process. This money is not 'gifted' to the Council; it forms part of the Precept which the Council makes on Somerset West and Taunton District Council. The cost of any s.137 expenditure is therefore reflected in residents' council tax bills.

[1] s.137 refers to Section 137 of the Local Government Act 1972

[2] Appendix A provides an indicative list of the powers and functions covered by various Acts of Parliament, which grant permission for parish councils to act but please note no list can be totally comprehensive.

3. PURPOSE

The purpose of this policy is to:

- set out the Council's approach to processing, considering and awarding Grants and Donations;
- ensure Grants and Donations are awarded using consistent criteria;
- ensure that the management of Grants and Donations expenditure is open, transparent, fair and supports local organisations which directly benefit Kingston St Mary Parish residents.

4. OBJECTIVES

The Council provides Grants and Donations to support the following aims:

- to enable residents to participate in voluntary groups and activities;
- to assist the provision of services needed by residents, which are provided by the voluntary sector;
- to support organisations which meet the needs of people experiencing social and economic difficulties;
- to ensure that there is equality of access and opportunity for all residents of Kingston St Mary Parish to the services it funds;
- to improve or enhance the local environment.

5. CRITERIA

5.1 Grants and Donations are restricted to applications made by groups only and on matters that benefit Parish residents. All groups will be treated equally[3] and if an organisation has had a grant or donation previously, they are not guaranteed to receive financial support again. This does not exclude a group from applying again but a fresh application will be required to request funding.

5.2 Applicants must set out how residents in Kingston St Mary Parish will benefit directly from the work funded by a grant or donation. They must be able to demonstrate that the grant or donation will make the Parish a better place to live, work or visit. This is particularly important where an application is made by an organisation working regionally or nationally.

5.3 Grants and Donations are accessible to new and established voluntary or community groups, who are formally constituted in the UK by the date of the application. To be eligible for the award of a grant or donation an organisation should be a registered charity or satisfy all of the following:

- be established for charitable, benevolent, social, cultural, recreational or philanthropic purposes;
- have a constitution, or set of rules, which define its aims, a management committee, objectives and governance procedures;

[3] The Council has a duty not to discriminate on the grounds of race, religion, age, gender, sexual orientation, marital status or disability.

- have a bank account operated by a minimum of at least two signatories;
- be able to provide a copy of its latest annual accounts including Balance Sheet, showing cash available and reserves. Accounts are to be checked, approved and signed by a person independent of the group.

Organisations applying for funding are responsible for ensuring they comply with all applicable legal and statutory requirements (including those relating to health & safety, equalities and safeguarding) and have appropriate insurance in place.

5.4 It is recognised that smaller community organisations may not be compliant with all the points in 5.3 above. In that instance, awarding of a grant or donation, and waiving some of the above requirements, will be subject to the Council considering and agreeing the demonstrable benefits to the local community.

5.5 Grants and Donations will not be made under any circumstances to:

- individuals or appeals supporting an individual;
- general appeals from national charities or organisations outside Kingston St Mary Parish, unless a clear and direct benefit to Parishioners can be established;
- commercial organisations;
- projects that improve or benefit privately owned land or property;
- organisations operating overseas or funds established to help persons outside the UK;
- political parties or groups promoting political beliefs;
- religious groups, where funding is used to promote religious beliefs or organisations that have a closed or restricted membership;
- projects that are the prime statutory responsibility of other government or statutory authorities;
- upward or onward funders.

The provision of financial support is entirely discretionary and the Council reserves the right to refuse any funding application which it considers to be inappropriate or contrary to the Council's objectives. Retrospective applications will normally not be considered and the Council may refer to any community plans when considering applications.

6 PRINCIPLES

6.1 Each application will be assessed on its own merits and the Council may make the award of any grant or donation subject to such additional conditions and requirements as it considers appropriate.

6.2 Grants and Donations must be used within 12 months and the funding must only be used for the approved purpose. Any unapproved expenditure or unused funds at the end of the 12 months, must be returned to the Council, except where the Council's prior written consent has been obtained.

6.3 Grants should not be added, wholly or partly, to an organisations rolling reserves unless part of a previously approved programme of funding for a particular project. If a project costs more than anticipated, any shortfall should be funded by the original applicant and the Council is under no obligation to make up the deficit. If for any reason an organisation disbands or a project is not completed the Council may ask for all or part of the funds it provided to be returned.

6.4 The Council will normally only consider one funding application per organisation per financial year and will consider applications for day-to-day running costs and individual projects.

7. PROCEDURE

7.1 The Council reserve the right to refuse to fund an application without giving reasons for its decision. The decisions made by the Council are final and there is no appeals process.

7.2 The parish council prepares its annual budget and precept during November and organisations should therefore apply for Grants and Donations, using the attached application form (refer appendix B), by the end of October. Any award granted would become available for payment after April in the following year.

7.3 The Council will also consider ad-hoc applications for Grants and Donations at their next meeting following receipt of a completed application form (refer appendix B). However, awards will be dependent upon the Council having sufficient financial reserves available. Where the value of applications exceeds the available funds the Council may offer a reduced award or staged payments.

7.4 A copy of this policy will be given to all Grant and Donation applicants, either an electronic or hard copy.

7.5 All Grants are conditional and the recipient **must** provide evidence of how the Grant was spent in the form of a written report, supported by financial evidence where available. The report must be received by the Council Clerk within 12 months of receipt of the Grant. The Council reserves the right to make this report public on the Council's website, as proof of how the s.137 monies were spent.

7.6 Recipients of Grants and Donations must acknowledge receipt in writing for Council audit purposes.

7.7 The Council reserves the right to request repayment of any Grant or Donation where an applicant does not comply with 7.5 and/or 7.6 above.

7.8 Recipients are expected to acknowledge Kingston St Mary Parish Council's support on all relevant promotional materials, press releases, reports and websites.

7.9 Parish Councillors will be expected to declare their interests in any specific funding application and act according to the Parish Council's Code of Conduct.

8. AUTHORISATION

The undersigned approves this policy on behalf of Kingston St Mary Parish Council.

Signature
Name (print)
Position
Date:

Function	Powers & Duties	Statutory Provisions
Allotments	Powers to provide allotments.	Small Holding & Allotments Act 1908, s.23
	Duty to provide allotment gardens if demand unsatisfied and if reasonable to do so	
Borrowing money	Power for councils to borrow money for their statutory functions or for the prudent management of their financial affairs	Local Government Act 2003, Schedule 1, para. 2
Baths (public)	Power to provide public swimming baths	Public Health At 1936, s.221
Burial grounds, cemeteries and crematoria	Power to acquire and maintain	Open Spaces Act 1906, Sections 9 and 10
	Power to provide	Local Government Act 1972,s.214
	Power to contribute towards expenses of cemeteries	Local Government Act 1972, s.214 (6)
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s.4
Byelaws	Power to make byelaws for: Places of public recreation	Public Health Act 1875, s.164
	Cycle parks	Road Traffic Regulation Act
	Public swimming baths	Public Health Act 1936, s.223
	Open spaces and burial grounds	Open Spaces Act 1906, s.15
	Mortuaries and post-mortem rooms	Public Health Act 1936, s.198
Charities	Duties in respect of parochial charities	Charities Act 2011, ss.298–303
	Power to act as charity trustees	Local Government Act 1972,bs.139 (1)

Function	Powers & Duties	Statutory Provisions
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers to maintain	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to inclosure, regulation, management and provision of common pasture	Inclosure Act 1845; Small Holdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage use of facilities	Local Government Act 1972, s. 144
Community Centres	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives	Local Government Act 1972 (Miscellaneous Provisions) Act 1976 s. 19
	Power to acquire, provide and furnish community buildings for public meetings and assemblies	Local Government Act 1972, s. 133
Crime Prevention	Power to spend money on crime detection and prevention measures	Local Government and Rating Act 1997, s. 31
Ditches and ponds	Power to drain and maintain ponds and ditches to prevent harm to public health	Public Health Act 1936, s.260
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972. S.145
Environment	Power to issue fixed penalty notices for litter, graffiti and offences underdog control orders	Clean neighbourhoods and Environment Act 2005, s.19, s.30, Part 6
General Power of Competence	Power for an eligible council to do anything subject to statutory prohibitions, restrictions and limitations which include those in place before or after the introduction of the general power of competence	Localism Act 2011, ss 1–8

Function	Powers & Duties	Statutory Provisions
Gifts	Power to accept	Local Government Act 1972, s.139
Highways	Power to repair and maintain public footpaths and bridle-ways.	Highways Act 1980, ss. 43, 50
	Power to light roads and public places	Parish Councils Act 1957, s. 3; Highways Act 1980, s.301
	Power to provide parking places for vehicles, bicycles and motor cycles.	Road Traffic Regulation Act 1984, ss. 57, 63
	Power to enter into agreement as to dedication and widening	Highways Act 1980, ss. 30, 72
	Power to provide roadside seats and shelters	Parish Councils Act 1957, s. 1
	Power to consent to a local highway authority stopping maintenance of a highway or stopping up/ diverting a highway	Highways Acts 1980, ss. 47, 116
	Power to complain to district council about the protection of rights of way and roadside waste	Highways Act 1980, s. 130
	Power to provide certain traffic signs and other notices	Road Traffic Regulation Act 1984, s. 72
	Power to plant trees and shrubs and to maintain roadside verges	Highways Act 1980, s. 96
Honorary Titles	Power to admit to be honorary freemen/ freewomen of the council's area persons of distinction and persons who have, in the opinion of the authority, rendered eminent services to that place or area.	Local Government Act 1972, s. 249

Function	Powers & Duties	Statutory Provisions
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s. 11
Land	Power to acquire by agreement, to appropriate, to dispose of	Local Government Act 1972, ss. 124, 126, 127
	Power to accept gifts of land	
Litter	Provision of bins	Litter Act, 1983, ss. 5, 6
Lotteries	Powers to promote	Gambling Act 2005, s. 252, 258
Markets	Power to establish or acquire by agreement markets within the council's area and provide a market place and market building	Food Act 1984, s. 50
Mortuaries and post-mortem rooms	Power to provide mortuaries and post-mortem rooms	Public Health Act 1936, s. 198
Neighbourhood Planning	Powers to act as lead body for a neighbourhood development plan or a neighbourhood development order	Localism Act 2011, Schedule 9; Town and County Planning Act 1990, ss. 61E-61Q, Schedule 4B; Planning and Compulsory Purchase Act 2004, s. 38A
Newsletter	Power to provide information relation to matters affecting local government	Local Government Act 1972, s. 142
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s. 260
Open spaces	Power to acquire and maintain land for public recreation	Public health Act 1875, s. 164
	Power to acquire and maintain land for open spaces	Open spaces act 1906, ss. 9 and 10

Function	Powers & Duties	Statutory Provisions
Parish Property and documents	Power to receive and retain	Local Government Act 1972, s. 226
	Duty to deposit certain published works in specific deposit libraries	Legal Deposit Libraries Act 2003, s. 1
Public buildings and village hall	Power to acquire and provide buildings for public meetings and assemblies	Local Government Act 1972, s. 133
Public Conveniences	Power to provide	Public Health Act 1936, s. 87
Recreation	Power to provide a wide range or recreational facilities	Local Government (Miscellaneous Provisions) Act 1976, s. 19
	Provision of boating pools	Public Health Act 1961, s. 54
Right to challenge services that are provided by a principal authority	The right to submit an interest in running a service provided by a district, county or unitary authority	Localism Act 2011, ss. 81–86
Right to nominate and bid for assets of community value	The right to nominate assets to be added to a list of assets of community value and the right to bid to buy a listed asset when it comes up for sale	Localism Act 2011, ss. 87–108
Town and Country Planning	Right to be notified of planning applications if right has been requested	Town and Country Planning Act 1990, Sched. 1, para.8
Tourism	Power to encourage tourism to the council's area	Local Government Act 1972, s. 144
Traffic Calming	Power to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s. 30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s. 26–29
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities'Power) Act 1923, s. 1
Water	Power to utilise wells, springs or streams for obtaining water	Public Health Act 1936, s. 125
Websites	Power for councils to have their own websites	Local Government Act 1972, s.142

NOTES

KINGSTON ST MARY PARISH COUNCIL
Email: clerk@ksmpc.org.uk

Grants and Donations Application Form

CONTACT DETAILS

Name of Group / Organisation

Main Contact Name and Position Held in Organisation

Contact Address

Phone Number of Main Contact

e-mail Address of Main Contact

ORGANISATION DETAILS

Is your organisation a registered charity? **Yes / No**

If yes, what is your registered charity number? ……

Does your organisation have a formal constitution? **Yes / No**

Do you have a voluntary management committee? **Yes / No**

What are the main activities of your organisation?

APPLICATION DETAILS

Please provide details of what you need funding for, who will benefit, how they will benefit and when funding is required.

Please provide a breakdown of what the funding will be spent on.

Type of Cost	Total Amount	Amount from Parish Council	Balance Funded By
Total Cost:			

CONSTITUTIONAL AND FINANCIAL DETAILS

Please provide the following information to support your application.

- **A copy of your organisations constitution;**
- **A copy of your organisations safeguarding statement (if applicable);**
- **A copy of your organisations latest audited accounts;**
- **A copy of your organisations latest bank account statement(s).**

DECLARATION

Please read the following terms and conditions carefully and by signing this form (two signatures are required) you are confirming that:

- **You are the official representatives of your group and are authorised to apply for funding on their behalf;**
- **Your details can be held by Kingston St Mary Parish Council in accordance with the Data Protection Act to administer the grants and donations process;**
- **You have read and understood the Parish Council's Grant and Donations Policy, available from the Parish Clerk or from the Parish Council's website: https://www.kstm.uk/content/parishcouncil/pc_council**
- **The information provided in this application is a fair and accurate description of your group and the reason you are seeking funding.**

Misleading, inaccurate or incomplete information may result in your application being delayed or rejected.

Signature	Position in Organisation	Date