

Appendices: 2



NORTHAMPTON
BOROUGH COUNCIL

COUNCIL

12th December 2016

Agenda Status: Public

Directorate: Borough Secretary

Report Title	Amendment to the Constitution – Officer Delegated Powers in relation to the Partnership Grant Allocation Process
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1. Purpose

- 1.1 To seek Full Council's approval to amend the Constitution in respect of the Chief Executive's delegated power to disburse and manage grants to community and voluntary organisations through the partnership grant allocation process.

2. Recommendations

- 2.1 Full Council is recommended to approve the amendment to the Constitution detailed in Appendix 2.

3. Issues and Choices

3.1 Report Background

3.1.1 On 16th November 2016, Cabinet:

- a) agreed (subject to approval each year by Full Council of the relevant budget) that funding for a period of three years may be granted to community and voluntary organisations, through the partnership grant allocation process; and
- b) requested that Full Council make the necessary changes to the Council's Constitution, as advised by the Borough Secretary, to give authority to the Chief Executive to award funding for a period of three years, in accordance with recommendation above.

3.1.2 The background information is set out in the Cabinet report which is attached as Appendix 1.

3.2 Decision details

- 3.2.1 The Council's Constitution contains the Scheme of Delegations to Officers. The Chief Executive has a number of specific officer delegated powers including a power to disburse and manage grants to voluntary and community organisations. In the case of grants over £500, this delegated power must be exercised in consultation with a panel of Members (known as the Community Enabling Fund Advisory Panel). The relevant extract from the Constitution is set out below:

“...the Chief Executive shall also exercise the following powers:...

1.2.11 all matters related to the disbursement and management of grants within the Budget for those purposes approved on behalf of the Council, after consultation in the case of grants in excess of £500, with such Members as may be from time to time nominated on behalf of the Council (whether on a temporary or other basis)”;

- 3.2.2 It is recommended that Full Council approves an amendment to the Constitution as detailed in Appendix 2 to update this Chief Executive delegated power to reflect the November 2016 Cabinet decision. The revised delegation would expressly delegate power to the Chief Executive to award grants for a period of three years, with such funding being subject to approval by Full Council each year of the relevant budget.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 As a matter of policy, Cabinet agreed that there should be an option to provide three years of grant funding to voluntary and community organisations, subject to approval of the relevant budget by Full Council each year. This report therefore recommends that Full Council approves the change necessary to the Constitution to enable officers to implement this policy through the partnership grant allocation process.

4.2 Resources and Risk

- 4.2.1 There are no resource implications arising directly from this report which only seeks to amend the Constitution. As explained in the Cabinet report, the ability to make a grant for a period of three years, (rather than being restricted to making a grant for a one year period) does not introduce any additional expenditure. There will still be a total maximum amount agreed in the Council budget each year, out of which grants can be allocated.
- 4.2.2 It should be noted that there would only be delegated power to make a grant for a period of three years, subject to there being budgetary approval each year. Therefore, if the budget for partnership grants was reduced in the Budget agreed by Full Council at the start of the second or third year of the grant period, this could affect the availability of the grant for those subsequent years. This caveat would therefore be reflected in the Service Level

Agreement between the Council and any organisation in receipt of a grant for a period in excess of a year.

4.3 Legal

4.3.1 The Local Government Act 2000 allows for arrangements to be made for the discharge of executive functions by officers of the authority. The delegation of power to the Chief Executive referred to in this report is made pursuant to these provisions.

4.3.2 It is noted that the delegated power in question could potentially be used by the Chief Executive to make a Key Decision (eg. in the event that the total amount of a grant over a period of up to three years, exceeded £250,000). In such cases, the specific legal and Constitution requirements relating to the making of Key Decisions must be complied with.

4.4 Equality

4.3.1 There are no equalities considerations arising directly from this report.

4.3.2 When a delegated decision is made in relation to any individual grant application, due regard must be given to equality and diversity considerations. An equality impact assessment was last undertaken in respect of the Partnership Grant Process in April 2016.

4.5 Other Implications

4.4.1 None.

5. Background Papers

5.1 None

Francis Fernandes
Borough Secretary and Monitoring Officer
0300 330 7000