

Appendix 1

CABINET

Accountable Body Authorisation for Community Groups **4th Aug 2015**

Report of Chief Officer (Environment)

PURPOSE OF REPORT				
To approve delegated responsibility to the Chief Officers (Environment) and (Resources) to authorise and accept external funding applications and the council to act as the accountable body for community bodies working to improve facilities on council owned land.				
Key Decision	X	Non-Key Decision		Referral from Cabinet Member
Date of notice of forthcoming key decision		20 May 2015		
This report is public.				

RECOMMENDATIONS

- (1) That Cabinet delegates authority to the Chief Officer (Environment), in agreement with the Section 151 Officer, to approve the making and acceptance of external funding bids above the key decision threshold where:
 - any such bid is for the purposes of improving public open space in the District; and
 - it can be contained within the budget and policy framework and would not require redirection of resources between service areas, functions or activities on an ongoing basis.
- (2) That Cabinet delegates authority to the Section 151 Officer, in agreement with the Chief Officer (Environment), to adopt the role of “accountable body” where appropriate, in order to support formally constituted ‘Friends of’ and community groups in helping to improve public open space in the District, subject to due diligence and any financial implications being contained within the budget and policy framework.
- (3) That that above delegations remain in place until July 2019 and be subject to review at that time.

1.0 Introduction

- 1.1 The provision of ‘Clean, Green and Safe Places’ is a priority area for the Council. However, the Council recognises that it is not possible or desirable to achieve this without the support of our local communities. As such the council is doing much to develop how it works with and supports local groups to

support delivery of the council's objective for Green spaces as set out in the Corporate Plan-

'the council will encourage local communities and individuals to take pride in their local area and become involved in protecting and improving the quality of local areas, parks and public spaces in a way that is sustainable.'

- 1.2 This has been a very successful approach in recent years delivering new and improved play areas, parks and open spaces in both urban and rural areas. It is estimated that through working with community groups over £200,000 of external funding has been secured each year for the last few years.
- 1.3 The groups vary considerably in size and make-up. Larger more established groups usually have experience of managing grants and adhering to the relevant terms and conditions. In contrast groups such as a few parents coming together to improve their local play area will have no experience of such processes and therefore are seen as a higher risk by funders. In these situations the Council in the past, where the project relates to council land, has acted as the accountable body and has also provided much direct advice and support in submitted funding bids.
- 1.4 The Council's financial regulations were updated by the Audit Committee on 17th September 2014 (Minute 15 refers) and now include the following requirements, as set out in Lancaster City Council Constitution, Part 5, Section 1:

4.3.3. External Funding Arrangements

4.3.3.1. Council is responsible for approving any external funding bid that falls outside of the budget and policy framework, normally on referral from Cabinet.

4.3.3.2. Cabinet is responsible for approving any external funding bid that is above the key decision threshold, and/or involves the redirection of resources between service areas, functions or activities on an ongoing basis, but is otherwise within the budget and policy framework.

4.3.3.3. Separately, where a proposal involves the Authority acting as the "accountable body" for a partnership or joint venture (often, but not always, involving external funding), the approval lies with Cabinet, with referral on to Council if outside of the budget and policy framework.

4.3.3.4. Chief Officers have authority, with the agreement of the Section 151 Officer, to express an interest in, bid for, and accept external funds where the total value of the bid does not exceed the Council's key decision thresholds and the proposal is (at least) budget neutral, subject to due diligence being demonstrated.

4.3.3.5. Chief Officers have authority to submit expressions of interest for external funding above key decision thresholds:

☐ subject to consultation with the Section 151 Officer and the relevant Portfolio holder, and additionally

□ the Leader and the Chief Executive, where the expression of interest falls outside of the Budget and/or Policy framework.

4.3.3.6. For clarity, an expression of interest in itself does not constitute a key decision.

4.3.3.7. Should any such expression of interest be successful, §4.3.3.1 and 4.3.3.2 will apply as normal (as will key decision notice requirements).

4.3.3.8. Chief Officers have authority to accept funding bids approved by Cabinet and/or Council, subject to due diligence being completed and with the written consent of the Section 151 Officer.

4.3.3.9. Chief Officers have responsibility for notifying the Section 151 Officer of all expressions of interest, bids, awards, claims and all other external funding matters. Additionally, they are responsible for liaising with the Section 151 Officer as necessary where it is proposed that the Authority acts as accountable body in relation to any proposed partnership or other joint venture.

4.3.3.10. All the above are subject to any alternative or additional authorisation as may be required by the external funding provider. In these instances, the Section 151 Officer must have prior notice of such requirements.

NB- Key decision threshold is £50,000. Most community group projects use a combination of funding streams to total between £60,000- £100,000. Occasionally larger projects in parks may total approximately £150,000.

Article 13.03(b)(v) of the Constitution provides that a decision is a Key Decision if it relates to proposals that involve taking on the role of Accountable Body for a particular initiative.

2.0 Proposal Details

- 2.1 In many cases bids for funding in these areas tend to have very tight timescales so the proposed delegations below will streamline the process and allow for timely response.
- 2.2 PROPOSAL 1-To delegate authority to the Chief Officer (Environment), in agreement with the Section 151 Officer, to approve the making and acceptance of external funding bids above the key decision threshold to improve public open space where any bid, if successful, can be contained within the budget and policy framework and would not require redirection of resources between service areas, functions or activities on an ongoing basis.
- 2.3 PROPOSAL 2- To delegate authority to the Section 151 Officer, in agreement with the Chief Officer (Environment), to adopt the role of “accountable body” where appropriate, in order to support formally constituted ‘Friends of’ and community groups to help improve public open space in the District, subject to due diligence and any financial implications being contained within the budget and policy framework. Typically, this may involve being accountable for external funding awarded to the groups.

- 2.4 The delegated decision responsibility will only relate to projects on council owned land and where ongoing maintenance has been agreed within existing budgets. It is proposed that the delegations remain in place for a period of four years (subject to review after the next local elections). Furthermore, they would be subject to appropriate due diligence being demonstrated, in accordance with the general requirements of the Financial Regulations.

3.0 Details of Consultation

- 3.1 Detailed consultation is carried out for each individual project. Master plans are gradually being agreed for each of our parks and in turn form the basis for delivery of future schemes.

4.0 Options and Options Analysis (including risk assessment)

	Option 1: Delegate Responsibilities as outlined	Option 2: Seek Cabinet approval on each individual basis
Advantages	<p>As there are so many projects in this area of work. This will save time, allowing officers to focus on supporting the community and delivery of the corporate objective for green spaces.</p> <p>It will allow groups to respond quickly to opportunities which arise.</p> <p>Projects are usually funded by three or four different funding bodies. Delegated responsibility will provide flexibility when pulling funding packages together.</p> <p>Enables quick applications to go in to maintain community interest.</p>	<p>Allows consideration of specific budgetary pressures and commitment of future budgets as and when bidding opportunities arise.</p>
Disadvantages	<p>Annual commitments against existing budget levels may be incurred, reducing future scope to make savings in those areas.</p>	<p>It does not provide the flexibility and responsiveness which is required for these small scale community projects. Some funding is available at short notice which does not easily fit into council procedures and timescales.</p> <p>Due to the quantity of projects and funding applications – the</p>

		officer time in complying with these requirements on a project by project basis.
Risks	<p>There will be no immediate risk regarding ongoing maintenance costs as this will be addressed at the start of any project, but would be risk associated with committing future years' budgets, potentially.</p> <p>There is a risk that the group don't fulfil their requirements and the funding is reclaimed – Officers work very closely with groups to ensure this does not happen. Acting as the accountable body also allows us to have more control over funding requirements, procurement procedures, quality of work, etc. that may reduce long term risks to the council.</p>	<p>Loss of funding opportunities due to the required timescales.</p> <p>Loss of community interest due to the required timescales especially when funding has been secured and needs spending by a certain date.</p>

5.0 Officer Preferred Option (and comments)

- 5.1 The preferred option is option 1 as it enables the council to respond more quickly to securing funding for these relatively small scale community projects and the risks and consequences are considered manageable.

RELATIONSHIP TO POLICY FRAMEWORK

Directly relates to the delivery the councils objective for Green spaces

'the council will encourage local communities and individuals to in their local area and become involved in protecting and improving the quality of local areas, parks and public spaces in a way that is sustainable.

CONCLUSION OF IMPACT ASSESSMENT

(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing)

Individual bids all require impact assessments as part of the submission

LEGAL IMPLICATIONS

Legal Services have been consulted and have no further comments.

FINANCIAL IMPLICATIONS

It is not expected that there will be any additional financial implications arising for the Council as improvements will only be carried out on Council owned land with associated revenue

implications such as ongoing maintenance costs being addressed as part of each individual project.

The Council is experienced in managing external funds and has robust arrangements in place for administering such funding as well as undertaking the role of Accountable Body. It is expected therefore, that the proposal can be managed within current staff resources.

Should any specific financial implications or sensitivities arise in relation to an individual project or scheme, however, then these will be reported to Cabinet for their consideration in the usual way.

OTHER RESOURCE IMPLICATIONS

Human Resources:

None

Information Services:

None

Property:

Property Group will be consulted with where appropriate.

Open Spaces:

Enable officers to respond quicker to secure external funding for the improvement of outdoor areas.

SECTION 151 OFFICER'S COMMENTS

The s151 Officer has been consulted and has no further comments (she has contributed to this report).

MONITORING OFFICER COMMENTS

The monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

None.

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