

**MEMBERS BUDGETS AWARD SCHEME 2021-22  
GUIDANCE NOTES**

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**A. About the members budget award scheme**

This Member's Budget Award Scheme was introduced to support small to medium community driven projects and enhance the ability of Members, to improve the quality of life and wellbeing of their local communities. Funding is provided to recipients as a discretionary award and is aimed at addressing priorities for action identified within the Local Delivery Plans (LDP). The budget for 2021/22 is £5000 per member plus any carry forward amount from 2020/21.

Please read the full guidance notes before applying for funding as there are a number of conditions, before, during and after receiving the funding. You are bidding for funding which is public money and your bid will be considered in a fair, transparent way by both officers and Members following the guidance set out in this note.

**Timeline:**

- 7 May 2021 – Member Budgets Scheme opens
- 31 January 2022 - Last day for applications to be received
- 28 February 2022 - Last day for applications to be processed and paid
- 31 March 2022 - Projects should be completed but can continue with locality Manager permission.

Groups wishing to receive funding from Members Budget scheme may also want to look at funding via the Council's Spacehive crowdfunding scheme 'Cheshire West Crowd'. The aim of Spacehive is to make it as easy as possible for people with ideas

to improve their local area by attracting support and funding from local people, local businesses and funders. Members can also contribute funding to Cheshire West Crowd. For more information ask your Locality Team.

## **B. How to apply**

### **Step 1**

Pre application check, does your project/group meet the following three basic criteria:

- Does your group have a constitution?
- Does your group have a bank account?
- Does your project benefit a wider and varied community?

If the answer is **yes** to all three questions **then please move to 1b**

If the answer is **no** to any of the three questions your group are not eligible to make an application for funding. Please speak to a member of your locality team who will be happy to;

- Signpost you to organisations who can help you develop a constitution
- Inform you about other arrangements e.g. where organisations or groups do not hold their own bank account it is also possible for funding to be held by another organisation in their bank account on behalf of the group applying for the funding. However, this will need approval from the relevant Locality Team and should be clearly reflected in the Member Budget Application Form
- Help you develop your project to benefit the wider community.

### **Step 1b**

- Does your project already receive other funding from Cheshire West and Chester Council?

If yes, then your application could be requesting duplicate funding from the Council, which will not be accepted. Please check with your Locality Team before completing an application form. If the answer is **no** move to step 2.

### **Step 2**

Decide on the amount you are applying for, funding can be a minimum of £250 to a maximum of £5000 per Councillor and any amount in-between.

### **Step 3**

Complete the attached application form in full and submit it to the appropriate Locality Team, preferably by email, attaching your constitution, bank statement and any requested documentation. Your Locality Team can provide guidance on completing the application form.

Fully completed applications should be submitted at least eight (8) weeks before the project or event start date to enable appropriate financial compliance.

### **Step 4**

The Locality Team will acknowledge receipt of your application. Only fully completed applications will be sent to the appropriate local Ward Members for a decision and to declare any interests they may have with your group.

## Step 5

You will receive notification of a decision within 28 days of our receipt of a fully completed application form with all associated documents attached. **Application forms that are incomplete or missing requested documents will not be processed for funding.**

All applications with requested documents should be returned to the appropriate Locality Team (details are listed on the front of the application form, preference is to receive them by email).

**You must indicate on the application form which local Ward Members you are requesting funding from, these can be found at [http://cheshirewestandchester.gov.uk/yourcouncil/councillors\\_andcommittees.aspx](http://cheshirewestandchester.gov.uk/yourcouncil/councillors_andcommittees.aspx)**

## Step 6

If your application is successful the Locality Team will arrange the BACS payment. Internal applications will be made by Journal Transfer which the Locality Team will arrange.

## C. What we can and cannot fund

### What we can fund:

- ✓ Equipment hire or purchase
- ✓ Community events or activities – these may take place on an annual basis, can include one-off management costs linked directly to the event
- ✓ Improvements or additions to community facilities
- ✓ Materials and equipment for a local project
- ✓ Seasonal or project workers (those who work only as and when required), or an element of salary costs incurred as part of a wider scheme
- ✓ Start-up costs for groups or activities
- ✓ Team clothing or kit
- ✓ Environmental improvements to the local area
- ✓ Training or capacity building events
- ✓ Revenue (running or day-to-day) costs such as transport costs, venue hire, volunteer expenses
- ✓ Capital (fixed items) works or expenditure

Funding from multiple ward Members may be pooled together on a ward or locality basis; effectively allowing multiple members to contribute to a project that will benefit their wards together

The project or service must be located within the Member's own ward or locality area or be of significant benefit to those living within the member's own ward.

### What we cannot fund:

- An individual
- Any costs incurred when putting together an application
- Loans or interest payments
- Anything party political, including supporting political organisations
- Anything solely for religious purposes
- Lobbying against council policy
- Anything that will bring the council into disrepute
- Anything contrary to the council's financial regulations or council policies
- Anything illegal
- Anything that does not directly a wide community benefit. This includes trips for individuals
- Anything which is met by a Schools Pupil Premium Strategy
- Applications from organisations who have previously failed to adhere to the Members Budget guidance and/or monitoring guidelines
- Anything related to the production, supply or purchase of PPE

## **D. Eligibility criteria**

Who can apply for funding, examples of eligible award recipients include:

- ✓ Voluntary groups
- ✓ Community groups
- ✓ Charities and not-for-profit organisations
- ✓ Faith and belief groups for the benefit of the wider community
- ✓ Schools and education units for the benefit of the wider community
- ✓ "Friends of..." organisations
- ✓ Parish or town councils
- ✓ Statutory organisations.

Award recipients must send the following supporting documents with their applications:

- A constitution, standing orders, articles of association or similar
- Bank account details and statements (*payments cannot be made to individuals*)

Where appropriate additional supporting documentation will be required to be submitted with your application before it is accepted, the Locality Team will let you know if this is the case:

- Equal opportunities policy and/or equality and diversity policy
- A user protection policy if working with children and / or vulnerable adults

## **E. What happens next**

Your completed application will be acknowledged by email.

If your application is **successful** you will receive confirmation by email within 28 days of acknowledgement of your fully completed submission and payment will be made in line with the Council's Scheme of Financial Delegation.

If the application is **unsuccessful** – You will be informed by email within 28 days of acknowledgement of your completed submission.

## **F. Standard conditions and guidance for awards**

There are conditions which apply to all grant awards made under the Member Budget Scheme

### **What are the standard award conditions?**

**This section is important. It sets out our relationship with you for funding your activity and what accepting the award commits you to in the future. It also tells you how you accept the award. It also sets out some of your responsibilities once you have received the funding.**

The standard conditions once accepted are legally binding and if you do not meet these responsibilities fully you may be breaking the agreement between you and us.

If you have any general questions about how this document applies to your activity please contact your Locality Team. However, if you need legal advice about this document, please contact your solicitor.

In all these conditions:

- 'you' means the group or organisation that we have given the award to, or anyone officially representing this individual or organisation; and
- 'we', 'us' and 'our' means Cheshire West and Chester Council.

### **1. The purpose of the award**

You must use the award only for the purpose for which it was made as detailed on the Award Request Form. Any changes must be approved by us in writing.

We may grant an award for only part(s) of the activity you have asked us to fund and not all of it; and if you agree to our request we will ask you to make changes to your original bid.

If we decide to do either or both of these things, we will tell you in writing and you must then only use the award in this way.

After receiving our offer, you must tell us if you want to make any significant changes to the activity we agreed to fund. We know that circumstances may change during the course of your activity which are outside of your control, please inform us of any changes as soon as possible so we can assist you. Depending on the nature of the change we may alter or withdraw the award if we do not consider the changes in planned activity to be reasonable in relation to the funding we offered. You should not go ahead with any changed activity until you have received our written approval for the changes.

## **2. Our agreement with you**

The agreement we have with you for funding is contained in this document and based on the evidence you provide in the award request form. You should make sure you read the entire document as it can include responsibilities you will have to meet. This document includes: standard conditions for awards;

- any payment conditions or other special conditions we agree with you in writing;
- any detailed plan of your activity or budget, and financial information about your organisation you give us that we accept; and
- changes to anything you are responsible for doing that we agree with you in writing.

## **3. Pre-Election period**

Member's budgets must be spent within any given financial year. The last date, therefore, for the receipt of a fully complete award request form is normally 31 January annually. In election years, Member's budgets will not be allocated for spend until after the local election. In a pre-election year Member's budgets must be allocated by the end of November prior to the election.

## **4. Participatory budget schemes**

Member's budgets can be pooled to support a participatory budgeting process. Participatory budgeting is a mechanism for allowing local communities to decide / prioritise where funding should be spent. Your Locality Officer can provide information about participatory budget schemes and processes or visit the Your West Cheshire website <http://www.yourwestcheshire.co.uk/>

## **5. Considerations**

When making an award there are a number of issues that the ward Member will consider. These include:

- Compliance with financial regulations - The council has a set of financial and contract procedure rules that explain how all goods, works and services must be procured. When considering making an award all elected members must adhere to the basic principles of these rules, which include ensuring compliance with all legal requirements
- Achieving best value
- Ensuring transparency, openness, non-discrimination and fair competition

- Demonstrating probity, consistency, accountability and integrity
- Supporting the council's corporate vision and Play Your Part outcomes framework
- **Capital projects.** When considering support for capital projects (fixed items) or equipment, members are advised to check whether any planning permission or other authority is required for the project with the appropriate Service. Members also need to clarify any ongoing liability for capital purchases and, if necessary, agree this with the responsible service before the works are undertaken
- **Declarations of Interest and Code of Conduct.** Where members have an interest in a body (group) to which they are considering giving a grant, they must carefully consider any involvement they have e.g. where they are a school governor, a trustee of a public body or charity or a member of an organisation to which they have been appointed by the Council. Each member should ensure their Register of Interests is kept up to date, including any Outside Body Interests.

The Code of Conduct for Members applies to decisions they make as ward members and they should follow the general obligations to act with Honesty, Objectivity, Integrity and Selflessness.

<https://www.cheshirewestandchester.gov.uk/your-council/how-we-work/constitution/documents/g1a-member-code-of-conduct.pdf>

Whilst Members are likely to be involved in many public, community and charitable initiatives in their wards, where they are a member of an outside body (group) applying for funding or they have management responsibilities, they should not be involved in agreeing a grant if

- it significantly affects the body's finances or
- the member has or may have a role in considering a planning or licensing application from the organisation at Committee.

Where a member is "dual hatted" because of their interest, they should be mindful of how their actions might be perceived by the public. Advice in specific cases is available from the Monitoring Officer at [MonitoringOfficer@cheshirewestandchester.gov.uk](mailto:MonitoringOfficer@cheshirewestandchester.gov.uk)

If they do have an Outside Body Interest in the organisation making the application, the member should record this interest when they approve funding from their Member Budget.

Unless we have agreed otherwise in writing, we may choose not to fund goods or services you buy or order before your award was approved.

## **6. Accepting the offer**

You must accept the award in the way we ask you to. This will normally involve you accepting all your responsibilities for the award by 'ticking' the terms and conditions box on the award request application form. We will not make any payments until the ward Member(s) has agreed the amount of funding to be given and signed the award request form. If you are an organisation, the acceptance must be made by an officer authorised to sign for the organisation.

The amount of the award stated on the Award Request Form is the most we will pay.

## **7. Breaking these conditions, and suspending or repaying the award**

If you break any of these conditions, one or more of the following may apply.

- You may have to pay back all or part of the funding.
- We may end this agreement immediately.

We will decide what to do and the amount you will have to pay back (if any). When we are deciding, we may think about whether, in our opinion, the conditions were broken because of factors outside your control.

Unless exceptions (8a) or (8b) apply, we may also take the actions set out in condition 8 if any of the following happens.

- You close down your business (unless it joins with, or is replaced by, another business that can carry out the purposes of the award to our satisfaction).
- You significantly change the activity you received funding for without getting our written approval first.
- You do not use the award for the purpose for which we gave it.
- The activity for which you were funded does not take place
- You do not follow our reasonable instructions.
- You do not perform the purpose of the award or funded activity with reasonable care, thoroughness, competence and to a standard that would be expected for your level of experience in your area of work.
- You do not complete the funded activity (unless, in our opinion, this was because of factors outside your control).
- You are declared bankrupt or become insolvent, any order is made, or resolution is passed, for you to go into administration, be wound up or dissolved; an administrator or other receiver, manager, liquidator, trustee or similar officer is appointed over all or a considerable amount of your assets; or you enter into or propose any arrangement with the people you owe money to.
- You act illegally or negligently at any time during the funded activity, and we believe it has significantly affected the funded activity, or is likely to harm our or your reputation.
- Without first getting our approval in writing, you sell or in some other way transfer the award, your business or the activity the award is funding to someone else.
- If you obtain funding from elsewhere for the same project or activities we will suspend payments while we investigate.

## **8. Exceptions to condition 7**

(a) We can decide whether to ask for repayment. When deciding these things, we will consider whether the problem can be fixed in a way that we are happy with and within a reasonable time.

(b) When we want you to pay us back, we will consider how much of the funded activity has been successfully completed before deciding the amount of money you should repay.

If you break this agreement and we do not enforce one or more of our rights straight away, this does not mean that we will not do so in the future. We will give up our right to enforce this agreement only if we tell you in writing.

## **9. Publicity**

You must acknowledge Cheshire West's support and funding in any publicity material relating to the activities and/or services supported by the award. You must acknowledge the award in your annual report and any published reports and accounts relating to the period of the award.



Members can also organise any publicity of awards made. This will be done in consultation with the Council's marketing and communications team and must acknowledge that the funding has been provided by Cheshire West and Chester Council. In the case of pooled budgets, all members will be acknowledged in any publicity.

## **G. General Conditions**

### **1. Monitoring**

In the 2021-2022 Financial Year a representative 20% random sample of all applications will be monitored. This sample will be chosen at random by Financial Services.

The Locality Team may issue you with a monitoring form to be completed by you as the award recipient at any point in the project cycle. The monitoring form is intended to enable recipients to demonstrate appropriate use or planned spend of the award in accordance with the Award Request Form. As part of the monitoring process award recipients will be expected to provide all receipts as evidence.

If your award is selected for monitoring at one of the quarterly review periods; **completion of the form and returning it within the stated timescales with all associated receipts is mandatory**. If you fail to complete the monitoring when requested Cheshire West Council reserve the right to request the return of the full grant allocation. You may also not be eligible for future Members Budget funding.

### **2. Inspections and record keeping (including keeping original receipts)**

You must give the Council or our agent access to any premises where the activity is carried out and access to financial records relating to this award and allow us to take copies of documents. **You must keep all records for three years from the date of our last payment to you. Records include original invoices, receipts, accounts and legal documents.** You must give us accounts that cover the period of the funded activity, in the way that we ask you. These accounts must follow any relevant legal requirements for accounts, audit or examination of accounts, annual reports or annual returns.

### **3. Your legal and other responsibilities**

In carrying out your business and the funded activity you must keep to any relevant laws or government requirements. You must consider any possible risks involved in your funded activities and take appropriate action to protect everyone involved. For example, you are responsible for getting any licences, permissions and insurances that are necessary by law for the activity to be undertaken.

#### **Covid**

Due to the current COVID-19 pandemic all projects and works must comply with current and relevant government guidance. This includes but is not limited to following current social distancing guidelines, use of PPE, and a full and appropriate risk assessment for the project/event/work that is to be carried out. Any business or community project group can request further advice or information in relation to the current COVID-19 measures at [healthprotectionsecure@cheshirewestandchester.gov.uk](mailto:healthprotectionsecure@cheshirewestandchester.gov.uk) Dedicated officers are available to provide information and advice between the hours of 9am -5pm Monday to Friday.

Further advice can be found at:

<https://www.cheshirewestandchester.gov.uk/businesscontracttracing>

### **Health and safety**

You must make sure that you understand and meet all of the legal obligations which apply when you carry out your activities including health and safety and fire safety.

### **Data Protection**

If you keep personal information about individuals you must make sure you fully comply with your responsibilities under the General Data Protection Regulations

### **Equality and diversity**

You should provide your activity in a way which is fair, equal and accessible to all. This means:

- You must not unlawfully discriminate against any person on grounds of protected characteristics age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.
- You must have an equality policy which ensures your services are carried out in a way which is consistent with the principles and commitments set out in our equality and diversity policy. You can access it by contacting the Awards officer at Cheshire West and Chester Council, HQ Building, 2nd Floor, 58 Nicholas Street, Chester, CH1 2NP.

### **Freedom of information**

The Freedom of Information Act 2000 ('The Act') applies to us all. This means that any information you give us could be released to any person who asks for it under the act. You must tell us if you think that any of the information should be confidential under any of the exemptions of the act. Please visit [www.foi.gov.uk](http://www.foi.gov.uk) for information on the exemptions.

### **Complaints procedure**

You must have a written complaints procedure which any user of your services or officer of the Council may ask to see. You must keep a record of complaints you receive about your activities and allow the Council to see it.

### **Compact**

Together with our partners we have set up a 'compact' for Cheshire West and Chester. It sets at the way in which we work with the voluntary community and faith sectors. We will expect you to work with us to the principals set at the compact. A copy of the compact can be provided by contacting the Awards officer at Cheshire West and Chester Council, HQ Building, 2nd Floor, 58 Nicholas Street, Chester, CH1 2NP.

### **Fraud**

You must safeguard our funding against fraud. You must tell us straight away if you know or suspect that funding is being used improperly or fraudulently. If the award is for a specific activity and you manage to complete the activity without using all the funds provided by us and other funders, you must tell us the amount of any funds left over. You must also tell us how you intend to use this amount. If we do not agree with the way you intend to use it, we may ask you for an appropriate share of the amount left over and you must give us that share.

### **Professional advice**

You are responsible for getting your own management and business advice. This includes considering whether you need to get financial, accounting, tax, solvency, legal, insurance or other types of professional advice. You must not assume that your business is financially stable or solvent (this means your business is able to meet its financial responsibilities), even if we continue to support you. You must tell us immediately if your organisation changes in a way that may threaten its solvency.

#### **4. Value for money**

Our funding comes from public money, so if you are planning to buy goods or services with our funding, you should always buy them in a way that will give value for money. This means getting the best price for the goods or services you need. Wherever possible, you should go through a 'competitive process' to choose the goods or services you are buying. This involves getting at least three formal quotes when spending smaller amounts, and going to tender when spending larger amounts. There may be some limited reasons where a competitive process may not be appropriate. These reasons might include when there is only one business who can sell you the goods or services, technical reasons, or times when the cost and time to go to tender is too much compared to the value of what you are buying. If you are a public body, you must keep to the European procurement rules (if they apply to you and what you are buying).

#### **5. Assets and goods**

You must not sell any assets or goods that have been totally or partly bought, restored, conserved (maintained or protected from damage) or improved with our awards within three years of the date of our payment to you, unless we have given you permission in writing beforehand. The same applies upon dissolution of the organisation or cancellation of the activity.

If we have contributed (or will contribute) more than £25,000 to help with buying, restoring, conserving or improving land, buildings or any other assets, you must not apply for a mortgage over that asset or use it as security without our approval.

If you sell or give away assets or goods bought, restored, conserved or improved with our awards, we will receive an appropriate share of the 'net' proceeds (the proceeds after tax and so on) of this for as long as these assets or the improvements have a useful economic life. This share will usually be the same as the percentage of the costs we paid. However, after we have considered all the circumstances, we may not ask for this if we think it would be inappropriate. We may decide this before you sell or get rid of the assets if:

- you use the money you gained from the sale to benefit the project the award was for; and
- there are arrangements in place for dealing with the proceeds of sale if these are either higher or lower than we had expected.

#### **6. Council's responsibilities**

##### **Accessibility**

Council information is also available in audio, Braille and large print formats. If you would like a copy in any of these formats, please email us at [equalities@cheshirewestandchester.gov.uk](mailto:equalities@cheshirewestandchester.gov.uk). We are also able to provide a BSL interpreter to support customers with accessing council services.

##### **Audit**

All councils are now required to make all spend above £500 publicly available. Under these new arrangements details of all financial transactions above this amount will be made available on the council website. The Council has made a decision to publicise all Member budget spends on its website.

Our staff, council members and advisers cannot give you professional advice and will not take part in carrying out your business. We cannot be held responsible for any action you take, any action you fail to take, or for your debts or liabilities. Even though we may give you funding and talk to you about your activities, you are still fully responsible for every part of your business and the decisions about it. We will not be responsible to anyone else who may take, or threaten to take, proceedings against you.

## **7. Data Protection**

We collect your information to allow for the processing and administration of Members budget applications which may include the issue of a cheque or bank transfer of funds and for Cheshire West and Chester Council financial audit purposes. We will adhere to the General Data Protection Regulations 2018.

Information is stored electronically on a secured server within Cheshire West and Chester Council. The privacy notice relating to Members Budgets is listed on the Council's website.

<https://www.cheshirewestandchester.gov.uk/SearchResults.aspx?p=9&q=privacy+notice>

## **8. Application deadline 2021/2022**

Member's budgets must be spent within the financial year. The last date, therefore, for the receipt of an award request form is normally **31 January annually**. In election years, Member's budgets will not be allocated for spend until after the local election. In a pre-election year Members budgets must be allocated by the end of November prior to the election.

## H. Locality Team contact details

### Contact information:

The preferred method of communication is by email

<b><u>Chester</u></b> Members Budgets Award Scheme Chester Locality Team Cheshire West & Chester Council Nicholas House, 1 Black Friars Chester CH1 2NU <a href="mailto:ChesterLocality@cheshirewestandchester.gov.uk">ChesterLocality@cheshirewestandchester.gov.uk</a>	<b><u>Ellesmere Port</u></b> Members Budgets Award Scheme Ellesmere Port Locality Team Floor 2 Ellesmere Port Library Ellesmere Port, CH65 0BG <a href="mailto:EllesmerePortLocality@cheshirewestandchester.gov.uk">EllesmerePortLocality@cheshirewestandchester.gov.uk</a>
<b><u>Northwich &amp; Winsford</u></b> Members Budgets Award Scheme Northwich & Winsford Locality Team Cheshire West & Chester Council Wyvern House The Drummer, Winsford CW7 1AH <a href="mailto:NorthwichWinsfordLocality@cheshirewestandchester.gov.uk">NorthwichWinsfordLocality@cheshirewestandchester.gov.uk</a>	<b><u>Rural</u></b> Members Budgets Award Scheme Rural Locality Team Floor 2 Ellesmere Port Library Ellesmere Port, CH65 0BG <a href="mailto:RuralLocality@cheshirewestandchester.gov.uk">RuralLocality@cheshirewestandchester.gov.uk</a>
Alternatively please contact Cheshire West and Chester Council's Customer Service team who will transfer you to a member of the Locality team: 0300 123 7026	

### **Tackle the climate emergency**

As well as making the Council a greener organisation, we will work with businesses and communities to ensure that our borough reduces its carbon footprint and that future generations are protected from climate change. We have a shared responsibility to act and there will be a real urgency to our response. While this is a real challenge it presents great opportunities to build a green economy, more active residents, less congestion, warmer homes, and a more efficient use of our resources.

### **Grow our local economy and deliver good jobs with fair wages for our residents**

Our economy is doing relatively well compared to other areas, with lower levels of unemployment and higher levels of productivity. We have ambitious plans to build on this success with higher levels of growth, well supported businesses, dynamic town centres and excellent local skills. Our challenge is to make sure that more local people can access these local opportunities and secure good jobs.

### **Support children and young people to make the best start in life and achieve their full potential**

Our borough is a great place to grow up for many but not for all. Our vision is for more children and young people to feel included, listened to and to live in safe communities. We will also do everything we can to support children, young people and families to go on to lead fulfilling lives whatever their circumstances.

### **Enable more adults to live longer, healthier and happier lives**

The majority of our residents benefit from good health and wellbeing throughout their lives. However individuals from more deprived areas are more likely to be in poorer health and we need to think differently about how we meet the challenges of people living longer and maintaining good mental health. Joining up with our local NHS and care providers, we want to work closely with communities and build on people's strengths and capabilities to make this happen.

### **Make our neighbourhoods even better places to call home**

Our local neighbourhoods are central to our quality of life and are places where people come together and contribute as a community. We will work with communities to ensure our neighbourhoods are safe, well maintained and we have good range of homes that meet a diversity of needs.