

EXECUTIVE DECISION RECORD

CABINET LEAD MEMBER: COUNCILLOR HARPER-DAVIES

ITEM MEMBER GRANTS SCHEME

The Decision

That the Lead Member for Community Support approves the following award under the Member Grants Scheme where the Ward Councillor has declared a registrable or non-registrable interest that might lead to bias:

That £500 be awarded to Thorpe Acre Community Association for its Queen’s Initiative to Plant a Tree for the Jubilee project. The project involves taking part in the Queen’s Initiative to Plant a Tree for the Jubilee by creating two new orchards in the area, getting the community involved with the planting of around 25 apple/pear trees.

Reason

To approve an award under the Member Grants Scheme where the relevant Ward Councillor has declared a registrable or non-registrable interest that might lead to bias in connection to the organisation receiving the funding.

Other Options Considered and Rejected

None

Conflicts of Interest Declared by the Decision-Maker

None

Dispensations

None

Reason(s) for the matter being dealt with if urgent

The Chair of the Scrutiny Commission has been consulted and has agreed that these decisions be exempted from call-in, given their nature and low financial value.

Approved: 

Date: 12/7/27

Cabinet Lead Member for Community Support

REPORT

Purpose of Report

To bring forward a recommendation for an award under the Member Grants Scheme where the Ward Councillor has declared a registrable or non-registrable interest that might lead to bias.

Background

Councillor Campsall is a Ward Councillor representing Loughborough Garendon. He wishes to support the award of a grant to Thorpe Acre Community Association for its Queen's Initiative to Plant a Tree for the Jubilee project. However, Councillor Campsall has declared an interest, he is Vice-chair of Thorpe Acre Community Association. Therefore, the Cabinet Lead Member is being requested to act as the final decision maker in respect of the award of the grant.

Recommendation

That £500 be awarded to Thorpe Acre Community Association for its Queen's Initiative to Plant a Tree for the Jubilee project.

Reason

To approve an award under the Member Grants Scheme where the relevant Ward Councillor has declared a registrable or non-registrable interest that might lead to bias in connection to the organisation receiving the funding.

Policy Justification and Previous Decisions

The Member Grants Scheme was approved by Cabinet at its meeting on 12th April 2018 (minute reference 116).

Under the scheme each Councillor is allocated £1,000 to fund local community projects within their ward (subsequently reduced to £500 in 2020/21).

Situations can arise where Ward Councillors are considering awarding grants under the scheme to organisations they have a connection to, which under the provisions of the Member Code of Conduct may result in them having a 'registrable or non-registrable interest which might lead to bias'.

The Member Conduct Committee considered this matter at its meeting on 17th September 2018 and was of the view that in cases where a Ward Councillor has a conflict of interest that the grant application should be referred to the Cabinet for decision.

The Leader of the Council on 2nd October 2018 allocated this Executive function to the Lead Member for Communities, Safety and Wellbeing. This is reflected in Section 4.5 of Chapter 4 of the Council's Constitution. On 6th July 2020, the Leader re-allocated the function to the Lead Member for Community Support and Equalities.

Section 10.9 of Chapter 10 of the Council's Constitution requires that, where executive decisions are the responsibility of an individual member of the Cabinet, details of the decision (including any report) be published after the decision has been taken, as required by law.

Implementation Timetable including Future Decisions and Scrutiny

The Chair of the Scrutiny Commission has been consulted and has agreed that these decisions be exempted from call-in, given their nature and low financial value.

Report Implications

The following implications have been identified for this report.

Financial Implications

The grants can be funded from within existing identified budgets.

Risk Management

There are no specific risks associated with this decision.

Comments of Monitoring Officer

The Lead Member is being requested to make the final decision on the award of the grant in question because the Ward Councillor has declared a registrable or non-registrable interest that might lead to bias, and therefore the advice of the Monitoring Officer is that he/she should not be the final decision maker.

Key Decision:	No
Background Papers:	None
Officer to contact:	Karen Widdowson Democratic Services Manager (01509) 634785 karen.widdowson@charnwood.gov.uk

Decision under Delegated Powers

Officer Making the Decision

Head of Customer Experience

Recommendation

That the policy for the operation of the Charnwood Discretionary Council Tax Energy Rebate Scheme be approved as set out in Appendix A.

Reason

To take action in relation to a matter which would otherwise have been submitted to Cabinet.

Authority for Decision

Delegation of Executive functions - (Section 8.3 of the Constitution states that the Chief Executive, Strategic Directors and Heads of Service can take such action as is required in the case of an emergency or urgency subject to:

- (i) consultation with the Leader (or, in the Leader's absence, the Deputy Leaders);
- (ii) consultation with the Chief Executive and relevant Strategic Directors in each case; and
- (iii) a report on the action taken being made to the next meeting of the Cabinet.

Decision and Date



Background

On 3 February 2022, the Government announced a package of support known as the Energy Bills Rebate to help households with rising energy bills and including 2 elements to be administered by Charnwood Borough Council (CBC).

- A £150 non-repayable rebate for households in England in Council Tax bands A – D, known as the Council Tax Rebate; and
- £144 million of discretionary funding for billing authorities to support households who are in need but are not eligible for the Council Tax Rebate, known as the Discretionary Fund.

The Council has distributed the fund of the main scheme to all eligible households and now need to administer the discretionary element of the scheme in an efficient and effective manner.

The Councils policy in respect of Charnwood Discretionary Council Tax Energy Rebate scheme is set out at Appendix A as approved by dint of this decision.

Financial Implications

The cost of the both the main and discretionary Council tax Energy Rebate Scheme is fully funded by government. For the discretionary element the Council has been allocated a fixed amount of £231,300.00.

The government have also provided some new burden funding, £87,267.00 to cover the cost of administering both schemes.

Consultation with Leader and Deputy Leader

Following an informal briefing, a draft of this policy was used to consult with the Leader and Deputy Leader who confirmed that this could be used as the basis for the final policy. (There have been no changes for the draft to the final policy)

Consultation with Strategic Director – Environment and Corporate Services

The Strategic Director – Environment and Corporate Services, has confirmed his support of the policy and concluded that the recommendation of this report is both necessary and urgent.

Consultation with the Chair of the Scrutiny Commission

The Chair of the Scrutiny was consulted and gave her consent on 25th June 2022 to this matter being dealt with under Special Urgency provisions and exempted from the Call-in process.

Risk Management

There are unavoidable inherent risks within the discretionary Council Tax Energy Rebate scheme around prioritisation of different groups/types of households and the rationing of the payments, but there are no specific risks associated with this decision.

Key Decision: Yes

Date included on Forward Plan

N/A. When twenty-eight clear days' notice cannot be given of the intention to take a decision which meets the Council Constitution definition of a Key

Decision, the Proper Officer is required to publish a special urgency notice.
This was published on 27th June 2022

Background Papers: None

Appendix A Charnwood Discretionary Council Tax Energy
Rebate Policy

APPENDIX A

CHARNWOOD DISCRETIONARY COUNCIL TAX ENERGY REBATE POLICY

1. Background to the Council Tax Rebate

- 1.1 On 3 February 2022, the Government announced a package of support known as the Energy Bills Rebate to help households with rising energy bills and including 2 elements to be administered by Charnwood Borough Council (CBC).
- A £150 non-repayable rebate for households in England in Council Tax bands A – D, known as the Council Tax Rebate; and
 - £144 million of discretionary funding for billing authorities to support households who are in need but are not eligible for the Council Tax Rebate, known as the Discretionary Fund.

2. The Discretionary Fund

- 2.1 On 23 February 2022, the Government published guidance for local authorities for the Council Tax Rebate which has now been updated 16 March 2022 which can be found here:
<https://www.gov.uk/government/publications/the-council-tax-rebate-2022-23-billing-authority-guidance>
- 2.2 The Council Tax Rebate for the Charnwood Borough Council is being managed by CBC, which is responsible for delivering payments to eligible households. The Council must follow the guidance set by the Government. The Council has authority to make these payments under Section 1 of the Localism Act 2011.
- 2.3 Local authorities are asked to make payments as quickly as possible to support struggling households. Once eligible households have been identified, CBC will progress these payments as a matter of urgency but recognise the need to undertake appropriate due diligence before payments are made.

Due to the very compressed timescales to meet the expectations of the Government and residents, CBC has not been able to consult on the development of this policy but has liaised with neighbouring local authorities to inform it. CBC has taken full account of the requirements of Government (as set out in the guidance received on the 23 February and 16 March 2022) and the issues and questions that have

arisen locally and nationally.

3. Total Funding Available

- 3.1 The Government has allocated £231,300.00 to CBC for the Discretionary Fund.
- 3.2 As per paragraph 37 of the guidance, Local Authorities can use this funding to support residents that do not qualify for the core scheme. As per question 15 of The Council Tax Rebate Frequently Asked Questions, Local Authorities can use this funding to provide additional support to residents that qualified for the main scheme.

4. Application Process and Timescale

- 4.1 Due to the scale of the Council Tax Rebate and the limited resources available to the Local Authority, there will be no direct application process for the Discretionary Fund.
- 4.2 Payments will be made to the following groups of residents likely to be in financial difficulty as identified from Council records.
Group 1
 - CTRS recipients in bands E to H.Group 2
 - CTRS recipients in bands A to H receiving 90% or more CTRS award.
- 4.3 The Council will where we hold Direct Debit details make automatic payments to the eligible bank account. Where Direct Debit details are not held, Customer will be emailed or sent a Post office Voucher to redeem for a cash payment at a local Post Office.
- 4.4 There will be no automatic right of appeal against a decision not to award a payment under the Discretionary Fund, or against the value of any award. However, CBC may, at its discretion, reconsider any refusal or award value if there is clear evidence that a significant and plainly wrong decision may have been made and assuming there is enough funding left to enable a new decision to be made. The only further recourse available to applicants is a judicial review, which is the means by which the decisions of CBC under discretionary powers may be challenged.

5. How will the value of award be calculated?

- 5.1 Eligible residents will receive a payment from the Discretionary Fund as follows:
 - Group 1: £150

- Group 2: A share of the remaining discretionary fund, to be distributed equally across all CTRS recipients.

5.2 Top up payments for residents from Group 2 in exceptional circumstances may be authorised by CBC's Section 151 Officer.

6. Managing the Risk of Fraud

6.1 The Council and the Government will not accept deliberate manipulation and fraud. Any person caught falsifying their records to gain a payment may face prosecution and any funding issued will be subject to clawback, by civil and/or criminal proceedings as necessary, as may any awards paid in error.

6.2 As per Question 16 of The Council Tax Rebate Frequently Asked Questions, the Council will put in place measures to detect and prevent fraud. These will include verifying the identity of recipients and delaying payment until direct debits have cleared where appropriate. There will also be joint working across councils and government departments in preventing fraud.

6.3 The Council also reserves the right to check against national records and databases to highlight any potentially fraudulent activity.

7. Policy Review

7.1 This policy has been written in line with Government guidance. It will be subject to dynamic review as circumstances dictate and in line with future clarifications and changes that may be announced by the Government.