

Report to Governance Committee

8 June 2022

By the Monitoring Officer

DECISION REQUIRED



**Horsham
District
Council**

Receipt of External Grant Funding

Executive Summary

The Governance Committee was created by Council on 7 December 2016. One of the functions of the Governance Committee is to receive reports from the Monitoring Officer on changes to governance arrangements and subsequent amendments to the Constitution and make any consequent recommendation to Full Council.

The Constitution as it is currently written confirms that all changes to the budget framework, including adding grant money, are a reserved matter of full Council. Therefore, any grant monies received outside of the usual budget setting cycle, for which no budget exists, means that prior to or on receipt of the grant, approval from Full Council is necessary.

This report asks the Governance Committee to discuss this matter and consider the suggested change to the governance arrangements to allow the receipt of grant monies and consequent expenditure up to a threshold of £100,000 to be approved by the Section 151 Finance Officer, the Leader together with the Cabinet Member for Finance and Parking.

Recommendations

That the Committee is recommended:

- i) to consider the proposal to allow the receipt and expenditure of grant monies up to a threshold of £100,000 to be approved by the Section 151 Finance Officer, the Leader, in consultation with the Cabinet Member for Parking and Finance.

and if agreed by the Committee to recommended to Full Council.

- ii) The authority for the Monitoring Officer to make the necessary changes to the Constitution to reflect this.

Reasons for Recommendations

- i) The receipt by the Council of grant money has become more and more commonplace. Currently approval is needed which means every grant received needs approval from Full Council, preventing service areas from operating swiftly and efficiently by not being able to bid and spend the monies in time and as a consequence grant opportunity may be missed.

Background Papers

Horsham District Council Constitution

The 2022/23 Budget and the Medium Term Financial Strategy to 2025/26, Council 9
February 2022

Wards affected: all

Contact: Sharon Evans, Monitoring Officer, 01403 215538

Background Information

1 Introduction and Background

- 1.1 The Council approved its current Constitution in December 2016. The Constitution states at paragraph 4.4, Functions of Full Council, 'only the Full Council can exercise the approval of material changes to the budget. Therefore, any grant received outside of the usual budget setting cycle, for which no budget exists,' means that prior to or on receipt of the grant, approval from Full Council is necessary.

2 Relevant Council policy

- 2.1 Paragraph 5.3.4 of the 2019-2023 Corporate Plan sets out the principle that the Council will "*Continue to manage our finances prudently and identify new sources of revenue to balance our budgets as funding from central government reduces*"

3 Details

- 3.1 The Governance Committee needs to consider whether to remove the approval of material changes to the budget made by any grant received outside of the usual budget setting cycle, for which no budget exists from being a matter reserved to Full Council only and allow the receipt of grant monies up to a threshold of £100,000 to be approved by the Section 151 Finance Officer, the Leader together with the Cabinet Member for Finance and Parking.
- 3.2 From the start of the COVID-19 pandemic back in 2020, we as a Council became regular recipients of grant money, most of which has come from the government. To receive that grant money, in accordance with the Council's Constitution, approval from Full Council was necessary and therefore meetings of Full Council had to be called or urgency powers used if time was of the essence.
- 3.2 As we continue to recover from the pandemic the frequency of grant payments and the opportunities to apply for grants are readily available and likely to remain that way. With a view to assist service areas to operate swiftly and efficiently and have the ability to apply and bid for grants and then if successful, spend the money in what can be somewhat short timescales, the Governance Committee is asked to consider changing the governance arrangements to allow the receipt and expenditure of grant monies up to a threshold of £100,000 to be approved by the Section 151 Finance Officer, the Leader together with the Cabinet Member for Finance and Parking.

4 Next Steps

- 4.1 If approved the Governance Committee will make a Recommendation to Full Council to make the changes to the Constitution. Following approval by Full Council the Monitoring Officer will publish the amendments on the Council's website.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 The Interim Director of Resources, Monitoring Officer and the Chief Executive were consulted on this report.

6 Other Courses of Action Considered but Rejected

- 6.1 The only alternative would be to continue to continue as we are with the likelihood of more items going before Full Council or urgency powers needing to be used.

7 Resource Consequences

- 7.1 Having the ability to apply for grants and receive the money without having to report to Full Council each time will save officer time in report writing and save the need for calling meetings at short notice or using urgency powers.

8 Legal Considerations and Implications

- 8.1 It is a legal requirement for the Council to comply with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and have a Constitution. It is the responsibility of the Monitoring Officer to monitor and review the operation of the Council's Constitution to ensure that the aims and principles of it are given full effect and to make recommendations for ways in which the Constitution could be amended in order to enable decisions to be taken efficiently and effectively.

9 Risk Assessment

- 9.1 Making a change will remedy the current problem without hampering the operations of the income generating parts of the Council. The risk to the Council is low because the expenditure is funded by grant income, albeit eligibility criteria of the expenditure may be required as part of any grant award.

10 Procurement implications

- 10.1 There are no procurement implications from this decision.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 This matter relates to the operation of the Council not its services to its customers so there are no equalities or human rights implications.

12 Environmental Implications

- 12.1 This matter relates to the procedures of the Council not its services to its customers so there are no environmental implications.

13 Other Considerations

- 13.1 There are no other considerations.