

CIVIC AFFAIRS21 Sep 2022
5.30pm - 7.00pm

Present: Councillors McPherson (Chair), Carling (Vice-Chair), Bick, Bennett, Moore and Thornburrow

FOR ADOPTION BY THE COUNCIL**22/31/Civ – Civic Affairs: Amendment to Contract Rules**

The Councils Constitution at Part 4G – Contract Procedure Rules, 1.22.2 stated that “ALL Grant Agreements paid to third parties must be executed as a deed”.

To be legally enforceable, grant agreements must be executed as a deed, does not take into consideration that the Council would not wish to take a voluntary or community group to court to reclaim any monies unless absolutely necessary, and in many cases the cost of court action would exceed the value of the grant award in any event.

The preferred route would be to develop and maintain excellent relationships with our funded groups, whereby groups feel able to discuss any concerns they have about their funding award and group status at the earliest stages.

Alongside this, the Grants Team has put in place robust processes to manage the risks associated with making grant and is now seeking this approach to be reflected in the Contract Procedure Rules.

The proposed amendment would give the Council the ability to execute grants as deeds where it was felt this was proportionate to the risk or where particular thresholds were met – such as over a certain financial value. It would also allow the majority of grants which are lower risk and of lower value, to be signed under hand.

Resolved (by 4 votes to 0) to recommend to Council that Contract Procedure Rules are amended to enable Grant Agreements to be approved by deed; or signed under hand where appropriate by delegated authority to the Director. The new wording would be as follows: “ALL Grant Agreements paid to third parties must be executed as a deed; or signed under hand where appropriate by delegated authority to the Director”.