

**Saltfleetby Parish Council –
EnergieKontor Wind Farm Fund
TERMS OF REFERENCE**

Dated 6th June 2023

1. **Name**

The name of the fund is the Saltfleetby Parish Council EnergieKontor Wind Farm Fund ('Fund')

2. **Parties**

The Parties referred to in this document are:

'Developer' being EnergieKontor UK Ltd, Company Number 03830819.
EnergieKontor's registered office address is 114, St Martin's Lane, Covent Garden, London, United Kingdom, WC2N 4BE.
'Developer' shall include any successors in title or assignees.

Saltfleetby Parish Council ('SPC')

The fund administrator ('administrator') shall consist the Chairman and Vice Chairman of the SPC.

Website Address is <https://saltfleetby.parish.lincolnshire.gov.uk>
E-mail address is clerk@saltfleetbyparishcouncil.gov.uk

3 **Objectives**

The objectives of the fund are to disburse monies received from the Developer to promote Environmental Activities, Educational/Skills Development, Sports/Leisure, Community Facilities, Community Care, Investment, Infrastructure, Maintenance and Village events for the benefit of Saltfleetby. ('Objectives')

4 **Administration**

The SPC has delegated authority to approve or reject Qualifying Projects. The selection and designation of Qualifying Projects and the management and administration of the Funds shall be at the sole discretion of the SPC.

5 **Powers**

In furtherance of the Objectives, the SPC may exercise the following powers:

- 5.1 To allocate monies to projects/activities which meet the requirements of EnergieKontor UK Ltd and Saltfleetby Parish Council Project Funding Agreement – Community Programme Proposal Outline pages 12-13 of the Agreement. However, this funding cannot be used to fund businesses, a pre-existing project or statutory responsibility of the SPC, East Lindsey District Council or Lincolnshire County Council.
- 5.2 To raise monies for the Fund through investment of any surplus.

(See Section 10 not less than 10% per annum)

- 5.3 Subject to any consent required by law, to sell and lease or dispose of property of the Fund.
- 5.4 To engage such consultants and advisors as are considered appropriate from time to time.
- 5.5 To co-operate or commission projects or services with other independent bodies and statutory authorities operating in furtherance of the Objectives or of similar purpose and to exchange information and advice with them.

6 Restrictions on Powers

The Fund may not be used to support:-

- a) The promotion of any political or religious beliefs.
- b) Any activity adverse to wind farm interests
- c) A Business application, or any project that directly or continuously supports a business. This does not preclude Individuals, Community organisations or Charity organisations from using businesses to supply goods and services to individual events if all other criteria are met.

7 Meetings and Reports

The SPC sitting as the Awards Panel shall consider grant applications and award funding based on the agreed criteria and objectives of the Fund. Grant applications may be processed at a routine meeting of the SPC. A representative of the Developer will be invited to attend each meeting. All such meetings shall be minuted.

At least seven days' notice shall be given of the date, time and venue of such a meeting and an agenda provided setting out the business to be conducted. In the event of a tied vote for an award, the Chairman shall have the casting vote. The grant applicant may be present to answer any queries in relation to the application or to make a short statement before the awards panel vote.

- 7.1 The Awards Panel shall have a quorum of not less than 4 members.
- 7.2 The SPC will supply the Developer with the minutes of any meetings and a list of applications submitted together with the details of the decisions following each meeting of the Awards Panel.
- 7.3 The SPC will provide a Fund Report and audited accounts to the Developer annually. These accounts must be independently verified by a qualified accountant.
- 7.4 All Policies of the SPC shall apply to the Awards Panel and the meetings shall be run in line with Standing Orders of the SPC.
- 7.5 The Annual Fund Report will be presented at the Annual Parish Meeting which is open to the public and published on the SPC website.

8 Who May Apply?

- 8.1 Applications will be accepted from any group or organisation provided that the project will directly benefit the community of Saltfleetby.
- 8.2 Individuals may apply for bursaries to assist with furthering their education or learning new skills.
- 8.3 Applications for grants up to £300 should be supplied using the form shown at Annex A
- 8.4 Applications for grants over £301 should be supplied using the form shown at Annex B
- 8.5 Applications for a Bursary should be supplied using the form shown at Annex C
- 8.6 Applications for small groups seeking financial help to pay for the hire of Marshlands should be supplied using the forms and sequence shown at Annex D
- 8.7 Applications from organisations that weaken or duplicate existing established organisations will not be accepted.
- 8.8 Applications for advertising, stationary or administrative products will not be accepted.

9 Process

- 9.1 Applications for sums up to £300, bursaries or small groups may be submitted to the SPC at any time and the decision to support or reject the award will be debated at the next SPC meeting. The applicant of the grant may address the panel before the panel debates to approve, modify or reject the application. Decisions will be made based on a show of hands and in the event of a tied vote the chairman shall have the casting vote. The outcome of each vote shall be minuted. The Fund Administrator will notify the applicant of the outcome.
- 9.2 Applications for sums more than £301 may be submitted to the SPC at any time and the decision to support or reject the award will be debated at the next SPC meeting. If several applications are received at the same time the SPC may decide to call a separate meeting of the Awards Panel. The applicant of the grant may address the panel before the panel debates to approve, modify or reject the application.
Decisions will be made based on the flow chart detailed at Annex E. The outcome of the application shall be minuted. The Fund Administrator will notify the applicant of the outcome.
- 9.3 Organisations shall produce enough information to satisfy the Fund Administrator that the organisation is solvent and capable of administering any grant obtained in a competent manner.
- 9.4 A copy of the Public Liability Insurance Certificate shall accompany the application.
A copy of a DBS certificate shall accompany the application if the event caters for children or vulnerable adults.

A copy of a valid health and hygiene certificate shall accompany the application if food or drink will be consumed during the event.

- 9.5 Each application shall be accompanied by two valid quotations or an explanation why less than two quotations are not available.
- 9.6 The Fund Administrator shall collate the applications and forward them to the panel in advance of the meeting to enable an understanding of the application before passing judgement. The copies of the applications and any supporting evidence shall be destroyed after the meeting. A brief description of each application will be included in the SPC Meeting Agenda.
- 9.7 The Chairman of the SPC will chair the Awards Panel Meeting; in his/her absence the Vice-Chairman will take the chair, or a chairman will be elected for the meeting.
- 9.8 Monitoring of the progress of each project shall be conducted by the Fund Administrator.
- 9.9 Minutes of this meeting and associated decisions will be provided to the next full Parish Council Meeting for record and sent to the Developer. The Fund Administrator will retain all application documents on behalf of the Parish Council.
- 9.10 Applications will be accompanied with a list of each organisations committee indicating responsibilities of individuals and indicating authorised signatories for the bank account(s).
A statement will also accompany the application stating that two signatories are responsible for any financial transactions.

10 Distribution of Funds to Successful Applicants

- 10.1 Funds will normally be paid out upon receipt of a supplier's invoice. Payment may be made at the discretion of the Awards Panel if estimates are available in writing with the grant application.
- 10.2 The Parish Council, mindful of its responsibilities as Trustees of this Fund, will require recipients to sign a declaration that they are fit persons to manage public monies.

11 Investments

As administrators of the Fund the Parish Council is required to invest or otherwise provide for the future sustainability of the Fund. A proportion of the annual income of not less than 10% will be invested in secure assets.

12 References

1 EnergieKontor UK Ltd (1) and Saltfleetby Parish Council (2) Project Funding Agreement. Dated 14 March 2011

Terms Of Reference Only, No Forms