

Saltfleetby Parish Council

EnergieKontor

Wind Farm Fund

TERMS OF REFERENCE

11th November 2024

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') acting as the Windfarm Committee (WC)

The fund administrator ('administrator') shall be the Clerk/RFO 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.

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 WC.

This document details how the requirements of Reference 1 (from the original agreement) are to be administered. If there is a conflict between the two documents, then Reference 1 will have precedence.

5 **Powers**

In furtherance of the Objectives, the WC may exercise the following powers:-

- 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.
- d) Any project that is a Statutory responsibility of SPC, East Lindsey District Council or Lincolnshire County Council.
- e) Any project that lies greater than 5 kilometres from the windfarm.

7 **Meetings and Reports**

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

Seven calendar 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 WC shall have a quorum of not less than 3 members.
- 7.2 The WC 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 WC.
- 7.3 The WC will provide a Fund Report and audited accounts to the Developer annually. These accounts must be independently verified by a qualified accountant.
- 7.4 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 organisation or small community group - provided that the project will directly benefit the community of Saltfleetby. A small community group is defined as a group that has no formal organisation. A small community group will consist of up to 15 members and have no formal committee or funding arrangements (such as a bank account) A formally organised group which wishes to become a Small Community Group must be dissolved as per its constitution, liquidising all assets and reform as a small group. The grants are not means tested.
- 8.2 Individuals may apply for bursaries to assist with furthering their education or learning new skills.
- 8.3 The WC may utilise the fund for projects that benefit the community by obtaining quotations, debating the requirement and voting at any WC meeting.
- 8.4 Grants should be applied for using the form shown at Annex A.
- 8.5 Applications for advertising, stationary or administrative products will not be accepted.

9 Process

- 9.1 The maximum value awarded to any organisation/group shall not exceed £4,000 per financial year.
The **maximum total** granted in one financial year shall not exceed **£16,000**.
The financial year starts 1st April and ends 31st March.
While grants will be awarded on a first come principle, applications including match funding will take priority over other applications if a shortfall of annual maximum funding is experienced.
- 9.2 Applications may be submitted to the WC at any time via Councillors or emailed to the Clerk and the decision to support or reject the award will be decided at the next WC meeting provided the application has been received at least 14 calendar days before the meeting. If several applications are received at the same time the SPC may decide to call a separate meeting of the Awards Panel. Decisions will be made based on the flow chart detailed at Annex B. The outcome of the application shall be minuted. The Fund Administrator will notify the applicant of the outcome in writing within 3 calendar days of the decision being made using the form at Annex D. If a grant has been modified or rejected by the committee then a full explanation shall be detailed in the notification. The applicant shall have the right to appeal in writing to the administrator and their appeal shall be included in the agenda for the next WC meeting.
- 9.3 The administrator shall be convinced that Public Liability Insurance is covered by the establishment where the project will take place.
- 9.4 The Fund Administrator shall confirm that the application meets the requirements of Part 1 of Annex B.

- 9.5 The Fund Administrator shall collate the applications and forward them to the panel, along with copies of any supporting evidence, including constitutions and relevant policies if applicable, seven calendar days in advance of the meeting to enable an understanding of the application before passing judgement. Councillors shall read the applications before the Awards Meeting and send any comments applicable to Part 2 of Annex B to the Fund Administrator three calendar days before the meeting date. Any queries shall indicate the Section in the Terms of Reference which relates to the query. Only these queries shall be discussed at the meeting. Queries relating to pricing of goods or services shall be accompanied by alternative quotations if the values of the quotations are in question. Each application contains privileged information and shall not be shared with any member of the public. The copies of the applications and any supporting evidence held by individual councillors shall be destroyed after the meeting. Only the project title of the application will be included in the Meeting Agenda.
- 9.6 The Chair of the SPC will chair the WC Meeting; in his/her absence the Vice Chair will take the chair, or a chair will be elected for the meeting.
- 9.7 Monitoring of the progress of each project shall be conducted by the Fund Administrator.
- 9.8 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 WC.
- 9.9 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 be paid out upon receipt of a supplier's invoice.
- 10.2 The WC, 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.
- 10.3 Small Community Groups will keep a log of time used and send a copy of the log to the venue management and the Fund Administrator. The venue will invoice the Fund Administrator. An example of a log is shown at Annex C.
- 10.4 Bursaries will be funded on a case by case basis arranged at the time of their successful award.

11 Investments

As administrators of the Fund the WC 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 Disbandment of SPC

If the Saltfleetby Parish Council is disbanded the responsibility of the Windfarm Fund shall become the responsibility of ELDC.

13 References

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

Annex A

Saltfleetby Parish Council



Wind Farm Fund

APPLICATION FORM FOR GRANT

Applicants please read the EnergieKontor Wind Farm Fund Project Funding Agreement 2011 and the Terms of Reference Issue 4 (this can be found on the Saltfleetby Parish Council website)

1 Applicant

Name of Group, Organisation or Individual	
Contact for this Application	
Position Held	
Contact Address	
Contact Telephone Number(s)	
Contacts e-mail Address	

2.a Funding Requirement

- | | |
|---|--------|
| 1. A bursary? | Yes/No |
| 2. A group with no formal control? | Yes/No |
| 3. An organisation which is regulated by a committee? | Yes/No |

2.b State the reason why a grant is requested and explain which section of Schedule 1 of the Project Funding Agreement the application meets and how it meets this section.

Section of Schedule 1

1) How does the Project meet the Section of Schedule 1?

2) Details of Project

3 Documentation

The following documentation should accompany the claim: -

	Bursary	Organisation	Group
Constitution	No	Yes	No
Date Formed	No	Yes	Yes
Committee Members detailing responsibilities	No	Yes	No
Proof of Public Liability of the venue to be used	No	Yes	Yes
Policies relevant to this application	No	Yes	Yes

4 Costings

Identify the costs of the project and indicate any match funding.
All Items will be accompanied by several quotations or a reason why only one quotation has been obtained.

Item	Cost
Total Cost of Project	
Match Funding	
Total Cost of Grant	

5 Payment

Provide the following:-

Name of Bank
Name of account holder
Account Number
Sort Code
Business or Personal Account

Signature and Declaration of main contact for organisation/group.

I confirm that to the best of my knowledge and belief, all the information is true and correct.

I confirm that two signatories are required for any money transactions. The names of the signatories are

Name	Position Held in Organisation

I understand that you may ask for additional information at any stage of the application process and that all necessary permission for the project has been obtained.

I undertake to ensure that any grant awarded will be used for the sole purpose of the project stated and that if the project does not proceed as specified, all monies received from this fund will be repaid in full.

At the end of the project, I undertake to provide to the Fund Administrator all receipts and relevant financial reports and to report in full at the Annual Parish Meeting.

I confirm that to the best of my knowledge and belief, all information is true and correct. I undertake to ensure that any grant awarded will be used for the sole purpose of the project stated and that if the project does not proceed as specified, all monies received from this fund will be repaid in full.

As an applicant, I consent to my details being stored securely by the Parish Council to

enable the effective management of the EK Wind Farm Community Fund. The data will not be shared outside of the Parish Council.

Yes or No (delete as appropriate)

General Data Protection Regulations (GDPR 2018)

Name (Block Capitals)		Position in Organisation	
Signed		Date	

IT IS RECOMMENDED THAT YOU KEEP COPIES OF EVERYTHING YOU SEND

Please note the Award Panels decision is final.

Please send the completed application form along with any supporting material to:

Email clerk@saltfleetbyparishcouncil.gov.uk

Grant Application Check Sheet

Before the Grant Application is forwarded to the Fund Administrator you may find it helpful to complete the following check sheet of documentation that should accompany your request:-

Item	Check
Have sections 1 to 5 been completed?	
Does the project fit into a category of Schedule 1?	
Has the declaration section been completed and signed?	
Have quotations been attached to the application?	
Has a copy of the Constitution been attached?	
Have all committee members been listed with their responsibilities?	
Have all relevant policies been attached to the application?	

Annex B

Determination of Grant

Part 1 to be completed by the Fund Administrator & presented at the Awards Panel Meeting **Bursary =1, Group with no formal control =2, Organisation - 3**

Question	Yes	No	Applicable to (See Key)
Are all the questions answered adequately?	Next question	Reject	1,2 & 3
Is the supporting information provided clear?	Next question	Reject	1,2 & 3
Does the organisation appear to be solvent?	Next question	Reject	3
Is the organisation clearly a nonprofit making community group or social enterprise	Next question	Reject	1,2 & 3
Has the organisation declared that at least two signatories are required for financial transactions?	Next question	Reject	3
Has the organisation identified the committee members and their responsibilities?	Next question	Reject	3
Does the organisation have a bank account requiring at least two signatories?	Next question	Reject	3
Will the grant be utilised on a project that lies within 5 km of the wind farm and directly benefit the community of Saltfleetby?	Next question	Reject	1,2 & 3
Is the project the statutory responsibility of the SPC, ELDC or Lincolnshire County Council?	Reject	Next question	1,2 & 3
Does the project promote religious or political beliefs?	Reject	Next question	1,2 & 3
Is this project a pre-existing project?	Reject	Next question	1,2 & 3
Will the project have any adverse effects to the Wind Farm interests?	Reject	Next question	1,2 & 3
Has all the required project funding been identified?	Next question	Reject	1,2 & 3
Does the funding calculation 'add up'?	Forward to Award Panel	Reject	1,2 & 3

Annex B

Determination of Grant

Part 2 to be completed by the Awards Panel at the Awards Panel Meeting

Question	Yes	No	Applicable to (See Key)
Does the application fall within any of the approved purposes detailed in Schedule One of the Project Funding Agreement?	Next question	Panel to discuss	1, 2 & 3
Does the application directly support a business?	Reject	Next question	1, 2 & 3
Are all the required policies in place?	Next question.	Panel to discuss	3
Have enough quotations for the project been obtained?	Next question	Panel to discuss	1, 2 & 3
Has the individual or organisation applying for the grant demonstrated adequate financial control?	Next question	Reject	1, 2 & 3
Does the project benefit the majority of the village residents?	Next question	Panel to discuss	2 & 3
Will the project require further funding during its lifetime?	Panel to discuss.	Next question.	1, 2 & 3
Are there any other relevant details to decide if the application may be granted.	Panel to decide if grant should be awarded.	Award grant	1, 2 & 3

Annex D

Saltfleetby Parish Council



Wind Farm Fund

Grant Application Decision Notification

Your Windfarm Grant Application has been considered by the Awards Panel and the following decision has been resolved.

Your Grant Application has been accepted and will be paid in full.

It was determined that your Grant Application should be modified as follows:-

Your grant application was rejected for the following reasons:-
(delete as appropriate)

Signed _____

Fund Administrator

Date _____

Timescale	Action
14 calendar days before meeting	Applications received by Fund Administrator
7 calendar days before meeting	Fund Administrator forwards copies of applications to all councillors complete with Part 1 of Annex B with comments
3 calendar days before meeting	Comments relating to Part 2 of Annex B received by Fund Administrator from Councillors
Day of meeting	Windfarm Committee mets
Within 3 calendar days after the meeting	Fund Administrator informs applicant using form at Annex D or via email

NB This may be sent by email from the Clerk within the timetable as above