



QUEEN CAMEL PARISH COUNCIL

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Community Benefit Fund Panel - Terms of Reference

1. Purpose

The purpose of the Community Benefit Fund Panel (the Panel) is to provide an opportunity for members of the community to be included in the process of reviewing applications for grants and donations made to the parish council and to recommend which ones should be supported. The Panel will also monitor spending.

2. About the Funds

2.1 Recreational facilities

Section 19 of the Local Government (Miscellaneous Provisions) Act 1976 empowers a parish council to contribute, by way of grant or loan, towards voluntary organisations who are providing recreational facilities. Examples include playing fields and village halls.

Grants (or loans) may be made for any amount, limited only by affordability that the council chooses to budget for. Such monies may be carried forward if unspent and earmarked in the reserve for the purpose.

2.2 Section 137 Grants

Section 137 of the Local Government Act 1972 enables a local council to incur expenditure which is "in the interests of and will directly benefit its area or any part of it and some or all of its inhabitants". Section 137 is used when there is no other specific power available.

The parish council may spend directly under section 137, (for example to provide flower planters and plants) or they may make grants to voluntary bodies, fundraising events, organisations providing not for profit public services, and charities. Typical grants made in the past by Queen Camel have supported maintenance of the churchyard, children's and youth activities. Examples of other activities that are permitted can include village histories, prizes and community events that directly benefit parish residents.

Larger payments are termed Grants, smaller payments under about £250 are termed Donations. Applicants have to supply more information to receive a Grant than a Donation.

Section 137 expenditure is limited to a specified amount that is set by the government each year at a rate per elector. For Queen Camel in 2022 it was £8.82 x 678 electors = £5979.96.

The parish council decides how much money to budget for Grants and Donations each year, subject to the s137 ceiling. There is no minimum, a parish council does not have to provide any money for grants or donations.

Any money unspent in the parish council budget at the end of the year moves into the Reserve about which there are specific Rules. It is possible to earmark S-137 grants within the reserve, but that will reduce spending available the following year as the annual cap is absolute.

2.3 Solar Farm Community Benefit Fund

Solar Farm payments began in 2015 with the parish council receiving £6684 per year and set to continue for 10. However, extension to the solar operation of another 15 years has resulted in a further 6 years of payment being offered. If that progresses to Agreement funding will end in 2030, 16 years before the solar farm is due to close.

Planning permission for a second solar farm has been approved that would provide a lump sum of £15,000. This fund is not available until the solar farm begins its 40 years of operation.

Both agreements specify the same limitations on what the money may be spent on:

"The Community Body agrees to use the Payment for charitable, educational, environmental, amenity or other purposes

within the areas of the Community. Wherever possible, the Payment shall be applied towards the promotion of sustainable energy and uses. For the avoidance of doubt, the Payment shall not be used for political, religious, entertainment or hospitality purposes, or for any purpose adverse to the Operator's interest in the scheme."

3. Panel Governance

3.1 Membership

3.1.1 The Panel will consist of 7 members, two of whom will be parish councilors nominated by the Council at the Council's Annual Meeting each year. Non-Council members are selected by the Parish Council from applicants who volunteer following publicity when there is a vacancy.

3.1.2 The Chairman is elected annually from the Panel Members. The existing Chairman may be selected again, but must stand down for at least a year after three years in post.

3.1.3 The Panel may elect a Vice Chairman from within its membership who shall preside if the Chairman is not present. Otherwise members shall elect a Chairman for the meeting from those present.

3.1.4 Members of the Panel shall be sought from volunteers in the village, and shall serve on the Panel for no more than 3 years. At the end of 3 years members must stand down, but may be re-elected in open competition with other applicants.

3.1.5 The Parish Council will seek to ensure that the Panel is representative of the community. Where there is a choice between candidates, those who will better balance the diversity of the Panel may be preferred. Under 18s may be elected to the Panel. No seats are reserved for specific organisations and Panel members are expected to act in good faith for the interests of the whole community.

3.1.6 The Panel will be guided by the parish council Code of Conduct.

3.2 Meetings

3.2.1 Meetings will normally be bi-monthly in May, July, September, November, January and March, but will be flexible if required.

3.2.2 The Panel will be supported by the Parish Clerk and meetings will be run in accordance with the Standing Orders. There will be an opportunity for the public to speak at the start of meetings.

3.2.3 Panel Members must consider whether they need to declare an interest in any application on the Agenda. The clerk will advise what impact that might have on their participation. For example a Member of the Village Hall Committee may debate an application from the village hall for funds, but may not vote.

3.2.4 To assist large projects, the Panel may set up a sub group with at least one Panel member and those making or supporting a project proposal. Sub groups report only to the Panel, and do not commit the Panel to any particular course of action or recommendation. A sub group does not have to meet in public.

3.3 Decisions at meetings

3.3.1 The Clerk will invite applicants to attend the Panel meetings to present their application in person. Limits may be set by the Panel on the number of people who can represent the application and how long they may speak for. The Panel may ask questions or request that further information is supplied.

3.3.2 To aid consistent decision making the Panel will use a marking grid to assess the projects.

3.3.3 Panel recommendations require a majority vote in favour. If the Panel are less than unanimous, the record will show the numerical voting split, but will not record how individual panel members voted. The chair will have the casting vote.

3.3.4 Panel decisions will be recommended to the Parish Council at its next meeting.

3.3.5 The Parish Council must satisfy itself that a Panel recommendation is lawful, reasonable and prudent. Solar fund spending must provide “long-term benefit to the community” and be compliant with funder’s conditions. The Council may return a recommendation to the Panel to request clarification, information, or for reconsideration.

3.4 Decisions by email (donations only)

3.4.1 The clerk will check the application for completeness and may seek further clarification from the applicant. Applications for donations will then be reviewed by the panel via email using the marking grid.

3.4.3 If a decision is unanimous the clerk may combine any comments and prepare a recommendation for the next Council meeting.

3.4.2 If a decision is not unanimous the application will be added to the agenda for the next Community Benefit Panel meeting and the applicant invited to attend.

3.5 Reporting, review and correspondence

3.5.1 The Panel will report its proceedings and progress to the next Council meeting via its own published minutes, background papers or reports. A verbal report may also be made through one of the two councilors.

3.5.2 The Panel will publish information in *The Camels* magazine and on the Parish Council website. A representative will speak at the Annual Parish Meeting.

3.5.3 The Panel will provide an annual report with an account of funds expended at 31 March each year and the Parish Council will review the operation of the Panel at the Council’s Annual Meeting.

3.5.4 The Panel will review its own TOR, and the Grant application forms and guidance once a year. Changes must be approved by Council.

3.5.5 Correspondence with the Solar farm owners will take place through the Clerk. At least annually (or on demand) they will be sent a summary of expenditure made. This may be provided as a link to a web page showcasing the projects with information and photographs, or in a format specified by them.

3.6 Financial management

3.6.1 The clerk shall supply Panel members with a statement of Funds available at each meeting.

3.6.2 The Panel must ensure that applicants understand that if VAT is payable on expenses above £100, the Parish Council will purchase the item and then then donates the asset so that VAT may be recovered.

3.6.3 The Panel may deduct its operational running costs from the Fund and these will be accounted for separately in the Parish Council’s audited accounts.

3.7 Other relevant documents

These TOR are subject to QCPC [Standing Orders](#) and [Financial Regulations](#). Additional information and instructions in the *Grant and Donation application form* and *Guidance notes for Grant and donation applicants* also form part of the TOR.