

**WORCESTERSHIRE COUNCILLORS' DIVISIONAL FUND SCHEME AND  
LOCAL MEMBERS' HIGHWAYS FUND****Summary**

1. The Head of Legal and Democratic Services has been invited to present the Worcestershire Councillors' Divisional Fund (WCDF) annual report. In addition, a Highways Liaison Engineer has been invited to discuss the local members' Highways Fund.

**Background**

2. The WCDF was launched on 1 August 2011 following agreement by Council. An annual report to scrutiny is required and in the first two years since the launch of the scheme, these were considered by the Overview and Scrutiny Performance Board (OSPB). In April 2015 the OSPB agreed to ask this Panel to consider the annual report.

3. Panel members asked to also consider whether giving money to Councillors is the best way of allocating funding.

**WCDF Annual  
Report**

4. The report sets out the actual expenditure in each Division for 2014/15 together with any issues arising from the operation of the WCDF Scheme.

5. The WCDF Scheme is established under section 236 of the Local Government and Public Involvement in Health Act 2007 which allows Local Members to discharge the Council's functions in relation to the well-being of their local electoral Division (now included within section 1 of the Localism Act 2011). The Scheme has been agreed with the Leader of the Council in respect of executive functions and full Council in respect of non-executive functions.

6. Members have considerable discretion in how they allocate funds in a way that would promote or improve economic, social and/or environmental well-being for the benefit of the whole or any part of their Division or those within it.

7. The WCDF Scheme has been established in such a way that it is intended to be, as much as possible, a self-regulating scheme with support and guidance provided by the Head of Legal and Democratic Services. Its day to day administration is done by Legal and Democratic Services.

8. Council initially approved the operation of the WCDF scheme from 1 August 2011 to 31 March 2012 and allocated £10,000 to each member for that financial year. Council has extended the WCDF Scheme for each financial year since then.

9. Local Member decisions under the WCDF Scheme are formal

decisions on behalf of the Council. A transparent audit trail in respect of decisions under the Scheme is essential in order to comply with the legislation. The individual Member is responsible for ensuring a record is made in writing of any decision or action she or he has taken in connection with this Scheme. A single page proforma is used to cover both the request to process a particular payment and also the record of that decision and reasons for it, to ensure the process is as streamlined as possible.

10. A record of each submission to the Scheme, detailing the amount, payee and brief rationale for each submission, is maintained by the Head of Legal and Democratic Services and published regularly on the [Council's website](#). Records of expenditure under the Scheme (i.e. the request form and background documents) will be held for public inspection on request for 6 years at County Hall.

## **2014/15 Summary**

11. The main points of the year 2014/15 were:

- 658 submissions were authorised for payment
- £567,120 was spent, out of £594,026 made available
- £26,905 has been rolled forward to 2015/16

## **Beneficiaries of the WCDF Scheme**

12. The stated purpose of the Scheme is to facilitate 'good works' for the benefit of the local Division whilst focusing on the environmental, economic or social well-being of the Division.

13. The organisations, events, individuals and groups who have benefited from the WCDF are many and varied and cover the breadth of Worcestershire life. They include social and sporting organisations, charities, community organisations and environmental schemes.

14. A full list of applicants and monies allocated is publicly available on the [Council's website](#).

15. Joint submissions by members have also been received to support a community event or organisation which works or supports people across Divisions.

## **Operation of the WCDF scheme**

16. The Scheme requires the Head of Legal and Democratic Services to raise any issues arising from the operation of the scheme. The amount of administration to support submissions for payment should not be under-estimated; since the start of the Scheme 2,643 applications have been processed.

17. Points to note include:

(i) Code of Conduct

The Members' Code of Conduct applies to the exercise of the

Scheme by individual members and the Scheme was updated to reflect the new Code of Conduct. Members are reminded that they will not be able to act where they have a Disclosable Pecuniary Interest in the matter, or a disqualifying Other Disclosable Interest (ODI). Members must ensure they disclose and ODI on the form eg if they are a governor of a school which is to benefit from a WCDF grant.

(ii) Financial viability

It is for the Member to consider the financial viability of a potential recipient (such as a local voluntary body). Members are encouraged to seek advice from the Chief Financial Officer should there be any cases of uncertainty or concern.

(iii) Completion of the Proforma

Positive feedback has been received as to the ease and simplicity of completing the single page proforma. Members can complete the form electronically and send it via their WCC email account (preferred) or can complete it by hand if they prefer. Members are however reminded that a clear rationale needs to be included as to how the monies will help improve or promote the economic, environmental or social well-being of the Division or those in the Division. It is a formal decision of the Council and the discretion must be exercised lawfully. If the rationale is not clear, the submission will have to be revised, introducing additional administration and delay. Members are also reminded that officers are not able to process banking information noted on a proforma as these details need to be received via separate formal documentation.

(iv) Monitoring and Evaluation

Members are reminded that these are Member decisions and officers do not actively monitor or evaluate the monies allocated from the Scheme to the applicants. Members are to assure themselves that the public monies have been spent in the way intended and as indicated on the proforma. Any proposed change in spend would need to be agreed by the Councillor in advance and the updated position noted appropriately on the original proforma and on the public record.

(v) Cross-Division Applications

Councillors may support applications for organisations (or similar) which lie outside the geographical boundary of their Division provided that their own Division will benefit. In order to comply with the Scheme and the law, it is important that the proforma's rationale articulates clearly how people from within the Councillor's Division would benefit from the monies being spent in another Division. An example of cross-divisional boundary spend includes support for a youth club which whilst located in a particular Division draws its membership from more than one Division.

## Comments about the Scheme

18. Members are in regular contact with the administrators of the scheme in Legal and Democratic Services who are on hand to provide advice and guidance on any aspect of the applications.

## Internal Audit

Officers welcome any feedback on the Scheme, and have received positive comments from members across the political spectrum about how the scheme enables them to help communities and organisations in their division. In May last year the OSPB concluded that it was very supportive of the scheme, its simplicity and approval process and would wish for it to continue.

19. An internal audit of the Councillor's Divisional Fund Scheme took place during 2014/15 and as a result the Scheme and Guidance have been updated to reflect specific points made by Audit:

- that payments should be net of VAT where the payee can recover VAT from the thing being purchased
- that members should check that the money has in fact been spent on the intended purpose
- to advise members that declarations of interests should include relevant school governorships

## Local Members' Highways Fund

20. A Highways Liaison Engineer is invited to discuss the local members' Highways Fund.

21. The local members' Highways Fund is made up of a long standing Locally Determined Budget and a more recent Member Led Budget.

### *Locally Determined Budget*

22. Councillors each receive an amount of money (based on urban/rural road length in each district) to spend on any minor highways related activity.

23. The work is arranged through the appropriate Highway Liaison Engineer. Examples of recent works include pollarding trees, contributions to Parish Councils (for Parish Lengthsman Scheme), pedestrian dropped kerbs and vehicle activated signs.

### *Member Led Budget*

24. The 2015/16 budget plans, approved by Council in February 2015, include increased spending on highways and infrastructure designed to boost the local economy. An extra £500,000 is being invested in improving county highways while a further £2 million is going into a local members' Highways Fund to enable all County Councillors to fund improvements in their areas – equivalent to £35,000 per division.

25. The Member led budget was first introduced in 2013-2015 and again for the current two year period (2015-2017). It is for highways maintenance schemes and is led by the elected member.

26. There is a different approach this year. Each Councillor will be supplied with a list of sites which the Highway Liaison Engineers

have identified for consideration and will then be asked to prepare their 'top 5' schemes (again in conjunction with their Liaison Engineer) which are important to them. The Directorate has asked for all requests to be submitted by 1 September 2015 to enable the coordination of works on the highway.

27. The majority of the work between 2013 and 2015 was carried out on footway and carriageway patching repairs.

28. There are differences between this Fund and the WCDF. Members make the actual decision for the WCDF within a formal scheme and Democratic Services log the decision on the web. This is not same as for the local members' Highways Fund, where Members are effectively asking the Directorate to allocate the funds, so it is Directorate's decision (and subject to whatever safeguards).

## **Purpose of the Meeting**

29. Members are asked to:

- consider and comment on the operation of the WCDF and the local members' Highways Fund
- discuss whether allocating funding to Members is an effective and efficient way of allocating Council funding
- determine whether it wishes to make any comments to Cabinet.

30. In doing so, members may wish to consider:

- how decisions are made on where to allocate funding
- is giving money to Councillors the best way to allocate funds
- what happens to any unspent funds

## **Supporting Papers**

- Appendix 1 – Actual expenditure for the Worcestershire Councillors' Divisional Fund (WCDF) in each Division 2013/14 and 2014/15.

## **Contact Points**

### **County Council Contact Points:**

Worcester (01905) 763763, Kidderminster (01562) 822511 or Minicom: Worcester (01905) 766399

### **Specific Contact Points for this Report:**

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## **Background Papers**

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) the background papers relating to the subject matter of this report are:

- Agendas and Minutes of the OSPB on 3 October 2012, 5 December 2013, 6 May 2014, and 23 April 2015

- Worcestershire Councillors' Divisional Fund Scheme
- Internal audit report on the Councillor's Divisional Fund Scheme (available on request).

The Council's Agendas and Minutes are available on the Council's website at

<http://www.worcestershire.gov.uk/cms/democratic-services/minutes-and-agendas.aspx>