

COMMUNITY GRANTS FUND COMMUNITY SERVICES GRANT

GRANT OFFER LETTER

Community Toilet Scheme

INTRODUCTION

1. Maidstone Borough Council is looking for local businesses to participate in the Community Toilet Scheme. The Council will provide a small annual sum, subject to the conditions set out below, as a contribution for participation in the scheme as titled above. This will involve participating businesses to open its doors to the public to use its public conveniences, even if they do not purchase anything. The aim of the Community Toilet Scheme is to ensure that visitors to Maidstone Town Centre are provided with a clean and safe toilet provision.

GRANT

2. Maidstone Borough Council is prepared to pay a grant for the financial year 2017/2018 of a sum of £600 which is pro-rata and paid in quarterly installments of £150 commencing 1st April. For subsequent years the first quarterly installment of £150 will be made on 1st April. Our funding cannot be added wholly or partly to your reserves.

PAYMENT ARRANGEMENTS

3. Payment of the grant will be made by Maidstone Borough Council and is subject to:
 - the facilities being available during your usual business opening hours during the term of the scheme; and
 - the facilities being in a clean and safe condition.
4. An approved sticker shall be displayed in a prominent place, such as a window or door, and assistance dogs will be permitted to enter the premises. Participation in the scheme will be reviewed annually.
5. Payment of the grant will be made by BACs into your nominated bank account.
6. You will keep all financial records and accounts, including receipts for items purchased with Maidstone borough Council funding, for at least three years from the Offer of Funding. You will make these available to Maidstone Borough Council on request. This does not release you from your statutory obligations to keep records for longer periods.

PUBLICITY

7. The organisation should ensure that, where appropriate, publicity is given to the scheme.
8. You will allow Maidstone Borough Council to use your business name and participation in the scheme in its own publicity materials.

INELIGIBLE EXPENDITURE

9. The Grant must not be used for:
 - (a) expenditure on activities of a political or exclusively religious nature;
 - (b) expenditure supported from other Government sources, local authority grants, charges paid by leaseholders, or EC structural funds, to the extent that the combined community services grant and other support total more than 100% of scheme costs;
 - (c) expenditure on works or activities which any other person has a statutory duty to undertake e.g. health and education provision;
 - (d) recoverable VAT incurred;
 - (e) any liability arising out of negligence or breach of contract;
 - (f) any employment matter including, but not limited to payments for unfair dismissal, redundancy to staff or pension costs;
 - (g) expenditure relating to the payment of creditors on insolvency of the Grantee, that does not specifically relate to matters the subject of this grant.
10. This list is not comprehensive. You must consult the Environmental Contracts and Operations Manager if there is any doubt as to whether particular costs are eligible for a Community Toilet Scheme grant.

FINANCIAL ACCOUNTABILITY

11. You must ensure that the requirements set out in this offer letter are complied with; and in particular:-
 - (a) notify Maidstone Borough Council immediately (through the Street Scene Operations Manager) if any financial irregularity in the use of the grant is suspected, and indicate the steps being taken to rectify such irregularities. Irregularity means any fraud or other impropriety, mismanagement or use of funds for purposes other than that approved;
 - (b) you will notify us immediately in writing if you intend to move to new premises;
 - (c) you will allow entry to Council officers to undertake inspection of the facilities which may be without prior notification at any time within the funding period;
 - (d) you will also acknowledge that Maidstone Borough Council provides this funding in any financial information that you provide in annual reports;

SAFEGUARDING

13. You will ensure that all practitioners employed or contracted by you who come into contact with children and young people (under 18 years of age and 'vulnerable' young people under the age of 24) in their everyday work are familiar with and follow your organisation's procedures and protocols for promoting and safeguarding the welfare of children, and that you assure Maidstone Borough Council that your procedures and protocols are in accordance with its Safeguarding Children Policy and Procedures that can be viewed on the Council's website.

BREACH OF CONDITIONS AND RECOVERY OF GRANT

14. Maidstone Borough Council may reduce, suspend or withhold payments or require all or part of the grant to be repaid if there has been a failure by the business to comply with the requirements set out in this offer letter in particular where:

- (a) the availability, safety and cleanliness of the provision in the opinion of the Council, does not accord with the provisions of this Agreement or the law;
- (b) any attempt is made to transfer or assign any rights, interests or obligations created under this offer letter or substitute any person in respect of any such rights, interests or obligations without the agreement in advance of Maidstone Borough Council;
- (c) the composition of the Organisation changes as a result of insolvency or dissolution or ceases (or threatens to cease) to operate.
- (d) Maidstone Borough Council shall be entitled to cancel the grant and to recover from the Grantee the amount of any loss resulting from such cancellation, including all grant monies paid, if the Grantee (his employees or any person acting on his behalf) shall have offered or given any person of the Council any gift or consideration as an inducement or reward to obtaining the Grant and the Grantee or any person employed by him acting on his behalf shall have committed any offences under the Bribery Act 2010, or any amendment of them, or shall have given any fee or reward the receipt of which is an offence under sub-section (2) of Section 11 7 of the Local Government Act 1972.

15 Maidstone Borough Council may at its entire discretion, reduce, suspend or withhold the grant payment or require all or part of the grant to be repaid, if they believe that:

- (a) The grant has not been used for the purpose for which it was given; or
- (b) insufficient measures are being taken to investigate and resolve any irregularity (whether reported or not);
- (c) claims are found not to relate to the scheme approved or are found to be falsified or misrepresented.
- (d) there are any other reasons why continuing to fund the scheme would be undesirable or unaffordable.

16 Please now read the 'Acceptance Offer' and sign if agreeable.

ACCEPTANCE OF OFFER

17. If you wish to accept this offer of the grant, please sign both copies of this letter in the space indicated and sign and date and return one copy to John Edwards, Street Scene Operations Manager, Environmental Services Section, Maidstone Borough Council Depot, Bircholt Road, Park Wood Trading Estate, Maidstone, Kent, ME15 9XY (E) johnedwards@maidstone.gov.uk.
18. Please note that the fact that this grant funding has been offered for participation in the scheme by your business cannot in any way be construed as the giving of any consents required for participation by you. In all cases, you must ensure you have the necessary authority (legislative or otherwise) for operating your business and providing toilet provision as part of the Community Toilet Scheme.
- 19 You must ensure that you and anyone acting on your behalf, complies with the law in force in England, and in particular:-
- (a) takes all necessary steps to secure the health, safety and welfare of all persons involved in providing the toilet provision as part of the Community Toilet Scheme and can demonstrate that relevant safeguards, insurances and policies are in place; and
 - (b) meets the requirements of the Equality Act 2010. The Equalities and Human Rights Commission have issued a series of guides giving advice on the equality duty.

Signature

Name: John Edwards
Position: Street Scene Operations Manager
Organisation: Maidstone Borough Council Date / / 2017

(Authorised to sign on behalf of Maidstone Borough Council)

GRANT OFFER ACCEPTANCE

Signature

Name:
Position:
Organisation: Date