

ANNEX 3 – Conditions of Grant

These are the conditions you will be signing up to if you are awarded a grant and accept it.

In these conditions, 'the organisation' means the voluntary organisation, society, association or company to which 'the Council' has agreed to make a grant; and 'the Council' means Barnet London Borough Council.

1. Any grant is made on the strict understanding that the organisation is a not-for-profit and non-party political organisation which provides services or undertakes activities for the benefit of all or some of the inhabitants of the London Borough of Barnet.
2. *The organisation shall seek neither to promote nor oppose any political party or party political cause; nor otherwise engage in party political activities; nor publish or cause or permit to be published any material which, in whole or in part, appears designed to affect public support for a political party. The organisation shall also have regard in issuing publicity to any guidance published by the Council in pursuance of the provisions of the Local Government Act 1986.
3. The organisation shall provide the Council's officers with such information and proof as may be required from time to time as regards
 - (a) the use made of the Council's grants;
 - (b) details and statistics of the activities provided to residents of the borough and the users or beneficiaries of those services; and
 - (c) the expertise to undertake and provide those services.
4. The organisation shall allow Council officers a right of access at all reasonable times to inspect
 - (a) written records (including any publicity issued by or on behalf of the organisation);
 - (b) any premises which the organisation uses for the conduct of its activities; and
 - (c) any works undertaken or items of equipment purchased with the aid of Council grant.
5. The organisation shall observe all relevant statutory requirements including those relating to equalities, employment practices and non-discrimination. The Council shall not be held liable in any way for any action, inaction or negligence on the part of the organisation which contravenes any statutory requirement or guidance, or results in civil action being taken in a court of law.
6. The organisation shall apply any grant only to those purposes for which it has been approved by the Council, as notified in writing, and may not use it for any other purpose except with the Council's express permission in writing.
7. The organisation shall publicly acknowledge the Council's financial support by including the Barnet Council logo in the approved format in its public literature.
8. Any grant is given at the discretion of the Council.

9. Any material change in the organisation's circumstances which significantly affects its finances, operations or grant entitlement, including any additional source of grant income not previously declared, must be notified in writing without delay to the Third Sector Commissioning Team, North London Business Park, Oakleigh Road South, London N11 1NP. The Council reserves the right to withhold payment of an approved grant, or to demand repayment (either in whole or in part) of any grant awarded, where in its opinion such a material change has occurred and circumstances so warrant.
10. If it appears to the Council that the organisation has failed to comply with any of the conditions subject to which the grant is made, the Council may, by written notice, demand repayment of all or such part of the grant as it may think fit, and the organisation shall forthwith repay to the Council any sums so demanded.
11. The Council further reserves the following rights:
 - (a) to withhold payment of any approved grant until such time as satisfactory proof has been provided to the Council that the relevant expenditure has been committed, or will shortly be incurred; that any necessary planning or other consent has been obtained; that any relevant statutory requirement or guidance has been complied with;
 - (b) to pay any approved grant by such instalments as it may deem appropriate, and to deduct from payment any sum of rent, service charge or other debt owing to the Council.

***Note on Condition 2 – Political activities**

In determining whether published material appears to be designed to affect public support for a political party, the Council will have regard to the matters set out in sub-section 2 of section 2 of the Local Government Act 1986 and to the Code of Recommended Practice on Local Authority Publicity issued by the Department of the Environment under section 4 of that Act. Sub-section 2 reads:

“In determining whether material falls within the prohibition regard shall be had to the content and style of the material, the time and other circumstances of publication and the likely effect on those to whom it is directed and, in particular, to the following matters

- (a) whether the material refers to a political party or to persons identified with a political party or promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one political party and not of another;
- (b) where the material is part of a campaign, the effect which the campaign appears to be designed to achieve.”