

The Lancashire Local Area Agreement – Distribution of the Performance Reward Grant Protocol

This Protocol is made in respect of payment of the Performance Reward Grant under a Local Public Service Agreement now commonly known as a Local Area Agreement.

This Protocol regulates the Governance and Financial Management of the Performance Reward Grant

This Protocol is agreed by Lancashire County Council and the 12 District Councils; Burnley Borough, Chorley Borough, Fylde Borough, Hyndburn Borough, Lancaster City, Pendle Borough, Preston City, Ribble Valley Borough, Rossendale Borough, South Ribble Borough, West Lancashire District and Wyre Borough.

The protocol is supported by all members of the Lancashire Partnership.

1. Background

1. Performance Reward Grant (PRG) is money payable by Central Government for the achievement of Local Area Agreement stretch reward targets. A wide range of partners has been involved in and responsible for the achievement of the targets.
2. The dates for achieving the stretch targets covered by this Protocol are from 31st March 2009 to the 31st December 2010 and, if achieved, PRG will be paid in instalments mainly over the 2 financial years 2009/10 and 2010/11 with a final payment in the financial year 2011/12
3. PRG will be paid by Central Government to Lancashire County Council as 50% capital and 50% revenue
4. PRG can be carried forward from the financial year in which it is paid
5. There is no final date by which PRG must be spent
6. The level of PRG available is dependent upon the success of individual reward targets

2. Accounting Arrangements

1. Lancashire County Council (LCC) is the accountable body and banker of the funds received from Central Government
2. LCC will be responsible for ensuring that money spent through the Lancashire Partnership and the District Local Strategic Partnerships (LSPs) is properly accounted for and will monitor this through the application of this Protocol
3. PRG will be distributed by LCC at the agreed distribution rate of 40% to the Lancashire Partnership and 60% to be divided equally and paid to the District Councils who will receive the money on behalf of the 12 Local Strategic Partnerships

4. PRG funds will be paid by LCC upon receipt from Central Government
5. LCC on behalf of Lancashire Partnership and the District Councils on behalf of the district LSPs will create and maintain clearly identifiable accounting structures for the PRG funds
6. The District Councils on behalf of the LSPs shall prepare, in October of each year, an interim monitoring report on LSP spending to 30 September, projected spend for the remainder of the year and any planned use of PRG funds in future years. Each District will present the report to their district LSP. Copies of District reports are to be forwarded to LCC. A combined District and County report will be presented to the Lancashire Partnership Board.
7. The District Councils on behalf of the LSPs shall also prepare a final year-end report for the PRG funds expenditure on a similar basis as the interim report.
8. The interim and final year-end reports shall have a form and content which is to be agreed by the District Council and the County Council, in consultation with the LSPs, and which will be consistent across the county
9. Unused funds arising from the current and earlier years' contributions may be carried forward into the following financial year.
10. Funds must not be committed by the district LSP or Lancashire Partnership in excess of the budget available. The District Councils and County Council shall be responsible for ensuring that there are sufficient funds in their partnership's budget to cover all outgoing payments and any overspend will be the responsibility of the District Council and County Council respectively
11. It is a requirement of Central Government that PRG funding is used on a 50% capital 50% revenue basis and this applies to the proportion of PRG payable to each District Council, an initial approval letter will be issued to which outlines the amount of capital and revenue payable to each District Council.

However, within this overall requirement, the capital and revenue allocations can be exchanged between LSPs, for example, district A may swap all or some of its capital allocation for district B's revenue allocation.

In cases where LSPs wish to swap capital and revenue funding, an application setting out the details of the proposed swap should be made to the County Council in order that we can maintain the 50/50 rule. A revised approval letter will then be issued to the relevant LSPs. All applications for swaps should be made to Rachel Parker at rachel.parker@lancashire.gov.uk.

3. Use of the Performance Reward Grant

1. Performance Reward Grant should be invested in the future of Lancashire with the over-riding aim of “narrowing the gap”. The use of PRG should follow the golden thread of priorities which set out the outcomes needed to achieve this over-riding aim in:-

- Ambition Lancashire
- The Local Area Agreement
- Sustainable Community Strategies (District level).

2. The district LSPs shall make recommendations to the District Councils as to the allocation of the PRG and all funding decisions should be made through this route. These recommendations shall be in accordance with their work programme encompassing the above plans and strategies and allowing the principle to be addressed at different spatial levels and as appropriate for different communities across the county.

The councils have responsibility for the proper use of the funds and therefore for formally approving the allocation of the funds. However, the recommendations on the allocation of funds should be made by the LSPs.

3. In order to add value with this funding, all partners when making funding decisions will need to be able to set those decisions in the context of:-

- What is being commissioned at both county and district level
- How this activity helps to achieve the outcomes
- How the gaps and risks are being addressed

Use of PRG funds should be supported by clear business cases which provide this context in order to maximise the outcomes from the use of the resources. Recommendations of the district LSPs and Lancashire Partnership shall be supported by clear reasons

4. In principle the funding should be used to provide services for the people of Lancashire but PRG can also be used to provide reasonable administrative and financial support to the District and County Councils and partners in carrying out their additional responsibilities in relation to the Local Area Agreement. LSPs will determine what is reasonable in relation to any particular activity or function.

5. Recommendations of the LSPs shall be communicated to the District Councils and shall be ratified by that authority through its usual executive process. This may be by the full Cabinet, by a Cabinet member, by a Chief Officer under a scheme of delegation or by any other means within the district council’s constitution. The County Council shall delegate its executive function in respect of ratifying the district LSP expenditure to the District Councils

6. After executive ratification, the District Council shall make the payment or payments to implement the decision as and when necessary on behalf of the LSP.

7. Spending recommendations agreed by the Lancashire Partnership Board will be subject to agreement by the LCC Cabinet member for Resources.

8. No decision shall be taken by the District Council or County Council which gives rise to a commitment to make payments in future years unless those payments are covered by currently available funds, either those carried forward for the specific purpose or if sufficient funds are already forecast as being available in the future financial year i.e. from the second payment instalment.