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This is a Policy or Procedure document of Newquay Town Council and as such must be fully adhered to by both councillors and employees.

Policy/Procedure File Status

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1. Policy/Procedure Background

- 1.1 This document sets out a clear and structured procedure for grant applications being submitted to Newquay Town Council.
- 1.2 Newquay Town Council is empowered and committed to support a range of causes each year within a limited budget. It is therefore imperative that the Town Council has in place an established method of scrutinising grant applications to ensure it uses its budget to the best possible effect. The Council's preference is to award grants up to £1,000 as this will maximise the available revenue budget.
- 1.3 Earmarked Reserves should only be used in exceptional circumstances and will require consideration of any activity through the Governance & Resources Committee and subject to recommendation to Full Council, for final decision.
- 1.4 This policy does however cover all grant scenarios.
- 1.5 Grants under this policy can range from:
- 1.6 **One-off grants:**
 - Up to £1,000
 - £1,000 to £4,000
 - £4,000 or more (for exceptional and unique projects)

Delivery partner grants:

- Up to £2,500 per annum, granted for a maximum term of 3 years
- 1.7 This procedure is prepared in accordance with the Town Council's new policy on grants and introduces a new procedure for Officers to filter and assess applications against a set of criteria and to award grants up to £1,000 in value in line with the Council's Scheme of Delegation.
 - 1.8 Grant requests of £1,000 up to £4,000 will be appraised by the Democratic Services Manager and 1 Director and if supported it will be referred to Members of the Governance & Resources (G&R) Committee for determination by email. Delegated authority to award/not support a grant request is given to officers through the Scheme of Delegation and they will then take steps to notify applicants, having consulted initially with Councillors.
 - 1.9 A presentation from applicants in support of their grant request will be required if 3 Councillors or more request it. A suitable and mutually agreeable time, date and venue will be agreed with the applicant and

Chair of the Governance & Resources Committee. A presentation can be arranged at any time and is not reliant on the G&R meeting schedule.

- 1.10 The Council may also support up to 4 larger scale projects through a delivery partner arrangement with an annual award (up to £2,500), granted for a maximum term of three years. A project can therefore be funded for 1, 2 or 3 years (up to a maximum £7,500 spread equally over the 3 year lifespan).
- 1.11 Delivery Partner Grants will require referral to the Council's Governance & Resources (G&R) Committee for determination, which will include a short presentation from applicants with a question and answer session. A presentation can be arranged at a mutually agreeable time and is not reliant on the G&R meeting schedule.
- 1.12 The Town Council may consider grants of more than £4,000 but these are the exception and must be of significant scope and impact and part of a larger project delivering town wide benefit to the residents of Newquay. Match funding in this scenario will be a critical component. A mini business case may also be required.

2 Policy Statement

- 2.1 A grant is any payment made by Newquay Town Council to be used by an organisation for a specific purpose in the furtherance of the wellbeing of the community, either generally, or for a specific purpose and which is not directly controlled or administered by Newquay Town Council.
- 2.2 The purpose of any grant being given by Newquay Town Council is to support initiatives in the local community and to help create opportunities for the residents of Newquay that are not, as a matter of course, funded by Newquay Town Council or Cornwall Council.
- 2.3 Recipient organisations will need to carry out their own risk assessments/method statements and compliance with any other legislative requirements. For event activity, organisers should consider producing an event safety plan including adherence with Martyn's Law, as applicable.

3 General Principles

3.1 One off Grants:

- 3.2 The Council will open the application window starting 1 April each year, where grant applications up to £1,000 will be invited from the community/community groups that meet the criteria. These grant requests will be decided by Officers.

- 3.3 A grant over £1,000 and up to £4,000 will be considered but will need to demonstrate impact to trigger an award, given the Council's preference to support a higher number of grants through the up to £1,000 threshold.
- 3.4 Decision making for grants of £4,000 or more will be made by the Governance & Resources Committee who can make a recommendation to Full Council to utilise funds held in an Earmarked Reserve (EMR). Full Council will hold the final decision as to whether it authorises release funds held in EMR.
- 3.5 Payment of an annual award is only made once a request for funding supported by details of current year income and expenditure has been received from the grantee.

3.6 Delivery Partner Grants – maximum 3 year term

- 3.7 The Council may choose to make an annual grant award of up to £2,500 per annum to four (4) projects/activities through a delivery partner arrangement, for up to three consecutive years to an eligible body.
- 3.8 Organisations wishing to be considered for funding support up to a 3-year period must complete the grant application paperwork and note that there will be a requirement to present their project to the Council (at a time/date and venue to be agreed – this may be outside of the Council's meeting schedule).
- 3.9 Organisations that are awarded an annual grant funding package, may not reapply at the end of their grant period for a commensurate period of time i.e. if they have been awarded a grant over 3 years, they are not able to reapply for 3 further years. This is to ensure that other community organisations have an opportunity to access this type of grant model.

4 Application Procedure

4.1 One Off Grants (up to £1,000)

- 4.2 The scheme will operate on a first come first served basis and will be advertised on the Council's website and through social media channels used by the Council (from 1 April).
- 4.3 Grant applications must be fully completed and assessed against a set of criteria laid down by Newquay Town Council. Alignment with relevant elements of the Council's Corporate Plan is recommended.

- 4.4 Small grants of up to £1,000 will be considered up to the full amount of the cost of any project or activity (Newquay Council's contribution will not exceed £1,000).
- 4.5 The Council will not normally consider an application from an individual seeking financial support nor will the council consider applications to cover organisational core costs.
- 4.6 Grants up to £1,000 will be determined by Officers and within one month, where practicable, from application submission date.
- 4.7 If an application is refused, a new request/re-application or a request of a similar nature will automatically be turned down for a period of not less than 12 months' time from the date the previous application was turned down without the ability to appeal.
- 4.8 Grants must be spent within the financial year (by 31 March) and any claims for payments will not extend beyond this point, without specific consent from the Council.
- 4.9 There is no formal appeals process. If there are any issues in connection with the application process, then these should be raised via the council's complaints process.

5 Application for One Off Grants (£1,000 to £4,000)

- 5.1 This will follow the same approach as the up to £1,000 grant process but decision making is made by the Governance and Resources (G&R) Committee following initial assessment by the Democratic Services Manager and 1 Director (a director will be selected on the basis of their area of expertise against the nature and description of the project/activity in the application i.e. environmental projects will be assessed by the Director of Operations).
- 5.2 An application in this grant value range will be considered but it will need to demonstrate a higher community benefit/impact to trigger an award, given the Council's preference to support a higher number of grants in the up to £1,000 threshold.
- 5.3 Decision making for these applications will be made by the G&R Committee via email and on a majority basis to award (or not) a grant.
- 5.4 At the request of three (3) Councillors of the G&R Committee, applicants will be required to present their project at a time/date and venue to be agreed and will not be restricted to the Council's meeting schedule.

- 5.5 Grants above £4,000 will require release of an Earmarked Reserve (EMR) which needs support from the Governance & Resources (G&R) Committee. If supported, they will make a recommendation to Full Council who will make the final decision to either support or refuse the request to release funds held in EMR.
- 5.6 Decisions on applications will be turned around as quickly as possible and within three months from date of application (the exception being May each year (and in but not an election year) due to the annual appointment of members to council committees. If a presentation is required, this may elongate the decision making process beyond this timeline. Applicants will be kept informed as their application makes its way through these governance processes.

6 Delivery Partner Grants (£2,500 per annum for up to 3 years)

- 6.1 The Council is keen to support community projects and activity that will benefit from a more sustained funding period as this can provide more certainty and deliver additional benefit and outcomes to local residents.
- 6.2 Up to four (4) community organisations/projects will be supported per annum by Newquay Town Council.
- 6.3 The maximum grant that can be awarded is £2,500 per annum and up to a maximum three years (£7,500 in total over 3 years to a community organisation delivering a project or activity).
- 6.4 Grants under this annual award will not exceed 75% of the total project costs or activity for which the application is made, unless there are exceptional circumstances which are outlined by the applicant as part of the application. In these cases, the Council may fund up to 100% of project costs (any decision will be taken on a case-by-case basis by the G&R Committee).
- 6.5 The Council's preferred approach is to pay in arrears and on receipt of documentation that evidences spend, such as paid invoices, delivery notes, bank statements. However, the Council recognises that some organisations may need advance payments, reflective of their organisational size. It can therefore accommodate, on a case-by-case basis, an advance payment for Year 1 (up to £2,500) with subsequent payments staged via an agreed schedule.

- 6.6 Payments after any initial advance will be released if spend/defrayal evidence is satisfactory and if project delivery is on track. Organisations will need to retain all receipted invoices, delivery notes and bank statements and submit these on request to the Council.
- 6.7 Projects should submit at least quarterly project update reports to the Council.
- 6.8 A payment schedule will be agreed with the project by the Council's finance team and included in any grant award letter.
- 6.9 Applicants must demonstrate match funding by providing grant offer letter documentation from other grant funders with their application form.
- 6.10 Applicants to this Delivery Partner fund will need to submit a completed application form and provide a set of their most recent accounts for the last financial year, including existing balances and reserves.
- 6.11 For an organisation that has existed for less than one year, the applicant should submit a recent bank statement and ideally to a minimum 3 to 6 months of banking activity.
- 6.12 Applications must be completed and submitted to Newquay Town Council by no later than 31 August in any year with supporting documentation and up to two representatives may be invited to attend a meeting to provide a short presentation on their project/activity in support of their application. Successful projects and grant funding would commence from 1 April.
- 6.13 Representatives must be fully conversant with the contents of the completed application form and the project/activity and be able to answer any questions put to them by the Council, including the accounts.

7 Consideration of Grant Requests

- 7.1 The Council is required to show that any grant given to an organisation will provide direct benefit to some or all of the towns' inhabitants. It will, therefore, look closely at every application for evidence that the award will meet this requirement and its alignment with the aims/objectives of the Council's corporate plan. Consideration of the grant may be delayed if this is not clear and may lead to rejection.

- 7.2 The Council expects to see, where possible, that organisations have allocated their own funds and/or applied for other sources of funding before making their application. Other sources may include other Councils (Cornwall Council and other neighbouring parish councils), parent organisations where the applicant is a branch of a larger organisations, or national bodies such as the Sports Council, Arts Council, charitable trusts or the National Lottery.
- 7.3 Application forms will be rejected if not fully completed or are contrary to the above stipulations.

8 Award of Grant

- 8.1 Grants up to £1,000 will be awarded by the Democratic Services Manager in consultation with the Chief Finance Officer or Deputy Finance Officer.
- 8.2 Grants of £1,000 to £4,000 will be assessed by the Democratic Services Manager with one (1) Director and if it meets the criteria, circulated to the G&R Committee via email for consultation. Grant approval (or not) will be by a majority decision of the Committee. Delegated authority is given to officers under the Scheme of Delegation to implement the decision. There is no appeal process.
- 8.3 Applications will be logged and recorded. This will form part of the Decision Record Sheet which will record the amount of grant awarded, the organisation receiving the grant, a brief outline of the project/activity being delivered and the reasons for the support or refusal of a grant award.
- 8.4 All applicants will be notified of the result of their application, in writing, as soon as possible and with an expectation that this will be within one month from the date the application was received by the Council.
- 8.5 A Delivery Partner grant award, for a maximum term of three years will be considered by the Governance & Resources Committee in September each year in advance of the Council's budget and precept setting process.
- 8.6 If a presentation is required, this will be communicated and arranged with applicants. Delivery of presentations can be at a time/date and venue agreed by the Council and will not necessarily be before or at a committee meeting.

- 8.7 Grant payments under this model will be from 1 April and the commencement of the new financial year.
- 8.8 Decisions will be recorded in a decision record sheet which will log and track award beneficiaries (similar to the decision sheet for the small one-off grants).
- 8.9 Decision Record Sheets will be uploaded onto the Council's website as part of its commitment to transparency and openness.
- 8.10 Organisations awarded an annual grant will be ineligible to apply for a period of time commensurate with their grant lifespan i.e. a grant awarded over a 3-year delivery window would mean that the organisation cannot reapply for a period of 3 years following the completion of their project/activity.
- 8.11 The Code of Conduct will apply, as it does to all Council meetings, and Members with any interests in any grant or prospective recipient organisation will need to declare any interest(s) and adhere to the requirements of the Code of Conduct.

9 Eligibility Criteria

- 9.1 This section outlines the Eligibility Criteria for grants from Newquay Town Council. Applicants must be able to fulfil all of the below mandatory requirements or must provide clear and strong justification as to why it does not meet the requirement(s). The list is not exhaustive, but gives the key areas grant applications should focus on:
- Applications must contain a current/most recent accounts (previous financial year) and/or bank statements for new organisations (at least 3 to 6 months where possible)
 - Public Liability Insurance Certificates are required for any events or projects
 - Employee Liability Insurance Certificates are required if staff are involved
 - Buildings insurance (if request relates to funding towards this purpose)
 - An applicant's home address and personal contact details are required, as well as any registered address for the organisation (if appropriate).
 - The Application must contain a current copy of the organisation's constitution and, where relevant, Articles of Association.
 - The application must include a copy of the organisation's Equality & Diversity policy.

- The applicant must have a robust Safeguarding Policy for vulnerable adults or children should their project in anyway involve such activities.
- For grants of £2,500 or over, there is a requirement for a presentation to the Governance & Resources Committee (usually September) or other relevant meeting ahead of the annual budget setting process. This may include questions and answers session to clarify any project detail.
- Grants over £2,500 and requiring advance payment should provide their project/activity projected cashflow (revenue and capital separately), together with a project risk register and key milestones to deliver the project.
- All successful applications must provide receipts and supporting documents after the money has been spent (defrayed).
- Projects must provide a report to the Council to assist with a transparent audit trail of its awarded funding and what it has achieved. Bank statements may be requested that show spend/transactions of funds leaving the account.
- Applications where project activity includes any statutory consents/permissions etc need to provide copy and is not limited to planning application (PA) reference number, landlord consent (in writing), highways/street licences including event notification approvals (Temporary Event Notices) etc. If any grant is funding these, then they should be provided to the Council once obtained by the grant recipient.
- Successful applicants should submit a project evaluation outlining key outcomes and objectives achieved together with relevant data and photographic evidence demonstrating impact. This will be proportionate with greater detail expected for grants above £2,500, who must provide project update reports quarterly.
- Grants up to £1,000 can provide a lighter touch report summary on project completion.
- Projects irrespective of size must provide defrayal (spend) evidence to include invoices and bank statements showing payments leaving their account.
- Projects must include reference to Newquay Town Council as grant funder/part grant funder in any media releases and/or social media posts, recognising the financial contribution it has made to the project/activity.
- Liaison with Newquay Town Council's communications team 2 weeks prior to any media release is strongly recommended so the Council can have input and provide any quotes from the Mayor or Deputy Mayor (if appropriate).

10 Key Priority Areas of Newquay Town Council

10.1 The grant is for a project which fits into one or more of the following:

Promotes Tourism and Leisure for both visitors to Newquay, or Newquay residents with a community focus

Supports the Town Council's local safety campaigns

The request is to support a community or charity event within the Newquay Parish that will:

- enhance or add to the existing events held in Newquay
- promote community pride
- inspire local students and younger residents to learn more about an important local issue or local history/culture (grant support will only be for activity that can be demonstrated as 'additional' to core curriculum)
- Promotes a sports related initiative or event (not provided through a statutory function such as schools)
- Promotes Newquay to a wider platform, focusing on increasing visitors to the Newquay area and boosting local economic activity
- Promotes environmental issues which improve the amenity of the parish

11 Applications which are not usually eligible

The Town Council will not consider applications for or from the following (unless in exceptional circumstances for some criteria):

- Statutory services
- Expeditions or trips
- Replacement for statutory funding
- Bursaries or scholarships
- Projects outside of the Newquay Parish and does not provide a significant strategic advantage to Newquay.
- Individuals
- Hospitality
- National Charities
- Salaries or routine administration costs
- "Upward funders", i.e. local groups whose fund raising is sent to their central HQ for redistribution.
- Private organisations operated as a business to generate a profit or surplus

- Costs of routine maintenance and repair of equipment (unless in exceptional circumstances)
- Projects with party political links
- Organisations intending to support or oppose any particular political party or to discriminate on the grounds of any protected characteristic as defined by The Equality Act.
- Projects that discriminate on the grounds of race or religion
- Projects that do not benefit the Newquay Community at large
- To 'branches' that could be funded by their main organisation
- For buildings that are uninsured
- The project competes or conflicts with any service, project or event being supported, organised or funded by Newquay Town Council
- Applications from organisations with substantial unallocated resources will not be considered a priority for funding and will usually be unsuccessful
- Applications will not normally be considered from national organisations or local groups with access to funds from national "umbrella" or "parent" organisations, unless funds are not available from their national bodies, or the funds available are inadequate for a specified project.

12 Guidelines for Grant Applications and Further Information

- 12.1 In most cases, if a grant has been successful in the past, then there will be a limit to the number of times the same or similar grant can be requested again.
- 12.2 If an organisation is successful in obtaining a grant up to £1,000 in one financial year, it is unlikely it will receive another grant for a period of not less than 23 months.
- 12.3 If an organisation is successful in obtaining a Delivery Partner grant of £2,500 for the maximum 3 year term, it is unlikely they will receive another grant for a period commensurate with the lifespan of their grant award i.e. a grant over 3 years would make that organisation ineligible to reapply for a period of up to 3 years.
- 12.4 It is a condition of any grant application that the group or project must bring direct benefit to the residents of Newquay. All applications must clearly demonstrate how this will be achieved.
- 12.5 Application forms must be fully completed and submitted with the latest set of accounts. It is important that all questions on the application form are fully answered and that any appropriate additional information, which supports an application, is provided at the time of submission.
- 12.6 Incomplete application forms and/or missing supporting documentation will be returned and not assessed. Applicants will need to resubmit.
- 12.7 Grant applications cannot be made retrospectively.

- 12.8 The scheme provides start-up awards for new, as well as grants for existing organisations.
- 12.9 Applications may be considered for day-to-day running expenses of individual projects, provided this is new and not core (business as usual) activity.
- 12.10 Applications from religious groups etc. will be considered where a clear benefit to the wider community can be demonstrated, irrespective of their religious beliefs. Compliance with this requirement will need to be demonstrated throughout the project.
- 12.11 Newquay Town Council will only grant aid to churches for parish clocks and possibly for environmental purposes. Church Halls can also be grant aided if they are used by the community.
- 12.12 Schools will only be grant aided for environmental purposes or if, in the opinion of Newquay Town Council, their application is for the benefit of the wider community. The project must be in addition to core curriculum activity/statutory services.
- 12.13 Applications from education, health or social service establishments will be considered where the organisation can demonstrate that it is working in partnership with other groups and where there are benefits to the wider community within the parish. The project must be in addition to statutory services.
- 12.14 Grant applications will be considered against the following criteria:
- *application received with all supporting documentation*
 - *project timeline with key milestones*
 - *evidence of match funding*
 - *projected cashflow (capital and revenue) for grants delivering activity above £2,500 requiring advance payments*
 - *meeting the priorities as set out in section 10 above*
 - *meeting an identified need*
 - *viability of the project*
 - *majority of those to benefit should be residents of the Parish of Newquay*
- 12.15 Newquay Town Council reserves the right to reclaim (clawback) the grant in the event of it not being used for the purpose specified on the application form.
- 12.16 It must be understood that any grant must only be used for the purpose for which it was awarded unless the written approval of Newquay Town Council has been obtained in advance for a change in use of the grant monies, and that any unspent portion of the grant must be returned to Newquay Town Council within 12 months of when the grant was awarded to the applicant.

- 12.17 Although Newquay Town Council will provide assistance where possible the administration of, and accounting for, any grant or subsidy shall be the responsibility of the recipient.
- 12.18 Newquay Town Council reserves the right to request any further information that it deems necessary to assist the decision-making process. Account will be taken of the amount and frequency of previous awards and of the extent to which funding has been sought or secured from other sources or own fund-raising activities.
- 12.19 Organisations seeking funds for buildings must demonstrate reasonable security of tenure in the relevant property.
- 12.20 On-going commitments to award grants or subsidies in future years will not be made. A fresh application will be required each year and should be for new project activity.
- 12.21 The size of any grant awarded is at the sole discretion of Newquay Town Council.
- 12.22 Newquay Town Council may make the award of any grant or subsidy subject to such additional conditions and requirements, as it considers appropriate and this may be through a grant award contract.
- 12.23 Grant requests for capital funding/projects must include an element of match funding from other sources. In some circumstances, the Council may consider identified time or in-kind support in lieu of financial match funding but this is on a case-by-case basis and the project/activity must clearly display a strong benefit to the Newquay community.
- 12.24 Newquay Town Council reserves the right to refuse any grant application which it considers inappropriate or against the objectives of Newquay Town Council and misalignment with its corporate plan.

13 Banking Arrangements

The organisation should have a bank account in its own name with at least two authorised representatives required to sign/authorise payment methods.

Alternative organisational approaches to banking arrangements can be considered on a case-by-case basis.

14 Example of Normal Reasons for Officer/Automatic Refusal

This section provides details of possible reasons for an officer refusing an application. It is not an exhaustive list and attempts to provide clarity over some of the topics which are considered.

15 Officer Refusal

- 15.1 Applications that do not meet the eligibility criteria or which are incomplete.
- 15.2 Standard mandatory requirements are not in place/being met.
- 15.3 Projects/activity that do not fit in with the Town Council's Strategy or the Key Priorities of the Town Council (as set out in this policy and in the corporate plan)
- 15.4 Similar applications have been rejected previously.
- 15.5 Following an established precedent.
- 15.6 Such an application would set an unfair or unsustainable precedent for future applications of a similar nature.
- 15.7 The project is considered too high risk for public funds to be contributed to it.
- 15.8 The project (including any mini business case for projects above £4,000) is considered flawed or unsustainable (if appropriate) or for capital projects, inadequate match funding/in kind support displayed.
- 15.9 The Town Council does not hold any more funding for grants and there are no suitable reserves that could be utilised.
- 15.10 Any other relevant reason(s) which are considered important enough to warrant refusal to safeguard the Town Council and the local public funds.
- 15.11 Project/activity is considered to be for business as usual costs/activity.

16 Automatic Refusal

An application will automatically be refused if it is the same application or is similar to a previously refused application and has been submitted within the 12 months following the refusal (same applicant/organisation).

No requests will be considered from organisations or individuals who have outstanding obligations, commitments or disputes with the Town Council until such time as these are resolved to the satisfaction of the Town Council.

Successful Grants

Subject to relevant conditions being in place, successful applicants will be given a deadline to release the funding towards a project/activity which will be a maximum of 12 months. This will normally be within a number of months or within a financial year. Funds not requested will be automatically re-allocated.

An extension can be requested, but this is usually only granted for larger, capital projects. If the funds are automatically re-allocated after 12 months, then the applicant would need to re-apply for the grant as well as submitting reasons for not drawing down the funds within the deadline/extended time. It is unlikely such applications will be successful in future.

For larger grants there will be an agreed payment schedule in place. The Council may refuse to release payments if the project is not on track, the Council has deliverability concerns or if evidence of defrayal (spend) is not satisfactory. Projects are required to keep records of invoices and payments made in support of the project/activity which may be requested by the Council's finance team at any time.

Application submission

The following outlines which committee is responsible for specific grants:

Committee/Officer	Key activities they would consider
Democratic Services Manager with Chief Finance Officer/Deputy Finance Officer	One off grants up to £1,000 provided they align with Council policy/eligibility: environmental projects, cultural/arts related, community building refurbishment including fixtures/fittings where additionality can be achieved etc
Governance and Resources Democratic Services Manager will implement decision.	General Grants up to £2,500 per annum for a maximum 3 year term – under a Delivery Partner grant arrangement.
Governance and Resources	General Grants above £1,000 to £4,000: Arts related, Sports related, capital projects, major capital/infrastructure/ building improvement
Full Council	Exceptional projects above policy threshold (£4,000 or more) can be considered and may require Earmarked Reserve support (determination on a case-by-case basis and which may fall outside this policy. Requires referral and recommendation from G&R). budget availability dependent and only considered for projects of exceptional/significant importance/impact.

17. Subsidy Control

The [Subsidy Control Act 2022](#) provides the UK's domestic framework for regulating public subsidies following the UK's exit from the EU. It sets out principles that public authorities must follow when awarding subsidies to ensure

they are proportionate, transparent, and designed to remedy market failures or support public policy objectives without distorting competition or investment.

The monetary amount of financial assistance that can be awarded by Newquay Town Council under this policy will be relatively low value and unlikely to trigger subsidy control issues. Grants will primarily be awarded to community groups and organisations whose activity is has limited potential to confer an economic advantage or distort the market.

The 'four limb test' is the statutory test used to decide whether a measure is a subsidy and therefore subject to subsidy control rules. A measure is a subsidy only if all four limbs are met. Newquay Town Council will be guided by the four-limb test when considering awarding grants.

The Four (4) Limb Test

1. Is the financial assistance given, directly or indirectly, from public resources by a public authority?
2. Does the financial assistance confer an economic advantage on one or more enterprises?
3. Is the financial assistance specific? That is, has the economic advantage been provided to one (or more than one) enterprise, but not to others?
4. Will the financial assistance have, or is it capable of having, an effect on competition or investment within the UK, or trade or investment between the UK and another country or territory?

Where the 4 limb test dictates that the award of a grant is a subsidy, it will be the requirement of the grant recipient to confirm whether it has received financial assistance exceeding £315,000 during the elapsed part of the current year and the two financial years immediately preceding the current financial year.

Cumulative public funding received by an enterprise/organisation below this threshold, and during this period of time, could be deemed to be exempt from the Act as it would fall under 'Minimal Financial Assistance' as set out in the Subsidy Control Act.

The grant recipient will need to provide confirmation to Newquay Town Council that the Minimum Financial Assistance (MFA) threshold will not be exceeded i.e. funding below £315,000 over the current and last two financial years. This will enable Newquay Town Council to determine if the grant award is below MFA.

The grant recipient should provide information to Newquay Town Council as soon as practicable as funding will not be paid until steps to determine MFA have been carried out and an appropriate notification issued by the Council. The Council will

also use this information to assess whether it should follow a normal subsidy route, assessed against the subsidy control principles.

Appendix 1 – Application Process