

3 May 1999 - Agreement between Pratdip Town Council and the Planas del Rey conservation entity

English translation prepared from the surviving French copy of the municipal extract. The decision was adopted by Pratdip Town Council on 22 April 1999 and certified on 3 May 1999.

Gloria Sabaté Sabaté, acting secretary of Pratdip Town Council,

CERTIFIES

That the Municipal Corporation, meeting in plenary session on 22 April 1999, adopted, among others, the following resolution:

7. Approval, if appropriate, of the agreement with Planas del Rey concerning the award of grants

1. Background

1.1. By decision of the Town Council dated 24 July 1987, the Conservation Entity of the “Planas del Rey” development was established. The development works could not be formally accepted by the Town Council because they contained deficiencies in relation to the development project.

1.2. The Town Council is aware that the Conservation Entity has to bear substantial maintenance costs for the development, without any possibility of deducting them from the taxes payable by residents. It is therefore considered fair for the Town Council to subsidise the Conservation Entity, to the extent that it is able, in order to contribute towards the development’s maintenance costs.

2. Legal basis

2.1. Article 224 of Catalonia’s Municipal and Local Government Act 8/1987 provides that local authorities may award grants and financial or other assistance to public or private entities or individuals carrying out activities that complement or replace local responsibilities. Local authorities must verify that the measures and resources intended for the stated purpose are actually applied. Article 122 of the Regulations on Local Authority Works, Activities and Services (ROAS) also allows activities of local interest to be subsidised.

2.2. Grants should not normally exceed 50% of the cost of the activity to which they apply, given their voluntary and occasional nature. The beneficiary may not demand an increase or revision of the grant.

2.3. As a general rule, grants must be awarded through a public call, except in the circumstances covered by Article 125 of Decree 179/1995, including where an allocation has been provided for in the local authority’s budget.

3. Proposed resolutions

3.1. While the possibility of formally accepting the Planas del Rey development remains pending, the Town Council will include in its annual budgets an amount equivalent to 50% of the total sum actually collected in property tax (IBI) within the development. The Entity will also receive an approximate grant linked to ENRESA funds received by the Town Council and corresponding to Planas del Rey residents registered in the municipality. This amount, which cannot be determined in advance, will be reviewed whenever Prasdip Town Council considers it appropriate. Whenever it deems necessary, the Town Council will apply for grants for the development under public calls published in Spain's Official State Gazette and the Official Journal of the Generalitat de Catalunya. If awarded, those grants will be allocated in full to the Entity.

3.2. These grants will be used to cover the development's conservation costs.

3.3. The grants will fund projects previously approved by the Town Council following a proposal from the Governing Board of the Urban Development Conservation Entity. The expenditure must be supported by appropriate evidence. Up to 50% of the cost of such projects may be paid, subject to the limit stated in paragraph 3.1.

3.4. The mayor is authorised to sign the documents required to give effect to this agreement.

All points in the proposal are approved unanimously by the Town Council.

This certificate is issued for the appropriate official purposes.

Prasdip, 3 May 1999.

The mayor

The secretary