

## REPORT OF THE SUSTAINABLE DEVELOPMENT FUND ADMINISTRATOR

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### **SUBJECT: REVIEW AND REVISION OF SUSTAINABLE DEVELOPMENT FUND (SDF) REFERENCE DOCUMENTATION**

#### Purpose of Report

Following a review of SDF reference documentation, Members are requested to approve the revisions made to update the documents listed below:-

1. The Sustainable Development Fund (SDF) Policy
2. The SDF Committee Terms of Reference
3. The SDF Grant Conditions

#### Introduction/Background

The SDF aims “Through partnership, to develop and test ways of achieving sustainable development in countryside of great natural beauty and diversity, in which the local characteristics of culture, wildlife, landscape, land use and community are conserved and enhanced”.

#### **SDF Policy and SDF Committee Terms of Reference**

The SDF Committee is responsible for considering all applications for financial support and monitoring and reviewing the scheme progress. SDF Committee membership is comprised of six Pembrokeshire Coast National Park Authority (“Authority”) Members and six Advisory Members, drawn equally from the Public, Business/Private and Voluntary/Community sectors. At the NPA meeting in August 2016, Members agreed to a twelve month extension to the current term of appointment of SDF Committee Advisory members who had reached the end of their four year appointment. This was to permit a review of the policy before any new appointments or reappointment of existing Advisory Members was undertaken. The review was necessary to update the Policy wording; also to assess whether the composition of the Committee, the period of appointment to the Committee and the procedures for appointment were still thought to be appropriate and fit for purpose, or whether any changes were required. Following a review by PCNPA Officers it was concluded that no fundamental changes were desirable, hence the only changes made were to add reference to the Welsh Government’s Well-being of Future Generations (Wales) Act 2015 and to update wording to aid clarity on Advisory Member representation and procedures for assessing and processing applications. For consistency changes made to the Policy wording were also reflected in minor changes to the SDF Committee Terms of Reference.

#### **SDF Grant Conditions**

A report which reviewed the financial support awarded to projects from the SDF between 2000 and 2016 was presented to the NPA in November 2016. The review was undertaken following a request from the Audit and Corporate Services Review

Committee to ascertain whether public money had been wisely spent and whether projects that received funding were still operational. Conclusions from the review were positive. The value of SDF funding to assist new projects to get off the ground and to support innovative ideas with a degree of experimentation or risk was acknowledged. The Committee did however request that consideration be given to including a provision within the grant awarding criteria that would enable longer term monitoring of project progress after project funding ends.

This has been undertaken and the Grant Conditions amended accordingly. Members are requested to note the proposed new condition 13.

### Options

- Option 1: To approve the proposed changes to the SDF Policy, the SDF Committee Terms of Reference and the SDF Grant Conditions. This will permit administration of the fund to proceed in accordance with the revised reference documentation. In particular, advertisement and recruitment or re-appointment of Advisory Committee Members for a four year term will take place before August 2017 when the current agreed extension to the existing term of appointment ends. Also any new grant offers will be made subject to the revised Grant Conditions thereby formalising an intention to monitor project progress after the period of funding ends.
- Option 2: To refuse the proposed changes to the SDF reference documentation, which means that administration of the fund would continue as it does presently in accordance with the existing reference documentation. This is undesirable as without update there would be no reference to the Welsh Government's Well-being goals and there would remain a lack of clarity on Advisory representation and role on the SDF Committee when advertising and appointing or re-appointing representatives. It would also mean that any long term monitoring of project progress would be at the discretion of the grant recipient rather than a formalised condition of acceptance of the grant offer. This has governance shortcomings.
- Option 3: To approve the proposed changes to one or two of the above documents but not all three.

### Financial considerations

Financial implications to the Authority are minor and are costs associated with advertising and recruiting new Advisory Members to the SDF Committee. These costs will however be the same whether the proposed changes are accepted or refused as the advertisement and recruitment would proceed anyway either under the directions of the original or revised reference documentation. There is also a minor cost or resource requirement in SDF Administrator time to undertake long term monitoring of projects after the funding period ends.

### Risk considerations

No significant risk as documentation and therefore administration of the scheme would remain unchanged.

### Compliance

By supporting projects that are delivering sustainable development the fund is contributing to PCNPA corporate targets and objectives and towards the Welsh Government's Well-being goals set out in the Well-being of Future Generations (Wales) Act 2015.

### Human Rights/Equality issues

Any recruitment will be undertaken in accordance with PCNPA Equal Opportunities Policy

### Biodiversity implications/Sustainability appraisal

By supporting projects that integrate sustainable development with the special qualities of the park the fund is contributing to the National Park Management Plan. In fact, one of the eligibility criteria for the fund is that eligible projects will 'demonstrate that they contribute to the National Park Management Plan and complement other relevant local and national strategies'.

### Welsh Language statement

Advertisements for recruiting new Advisory Members will be undertaken in accordance with PCNPA Welsh language commitments.

### Conclusion

The SDF Policy, the SDF Committee Terms of Reference and the SDF Grant Conditions have been reviewed and updated. Revisions made to all three documents are minor. The SDF Policy has been revised to include reference to the Welsh Government's Well-being goals and to provide clarity on the SDF Committee Advisory Member representation and role. These changes necessitated parallel changes to wording in the SDF Committee Terms of Reference. The SDF Grant Conditions have been revised to make it a condition of the grant offer that PCNPA may also monitor project achievements after the grant funding has ended, in order to assess ongoing project progress. These revisions are considered important to ensure that the reference documentation remains up to date and fit for purpose, hence Members are requested to approve the revisions.

### **Recommendation**

**Members are requested to approve the revised documents.**

### Background Documents

Revised SDF Policy  
Revised SDF Committee Terms of Reference  
Revised SDF Grant Conditions

*(For further information, please contact Emma Taylor – SDF Administrator ext. 4874)*

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**SUSTAINABLE DEVELOPMENT FUND  
POLICY AND GUIDANCE**



## **INTRODUCTION**

The Sustainable Development Fund (SDF) supports innovative projects that develop and test new ways of achieving a more sustainable way of life, thus improving the quality of life for current and future generations. Projects can range from locally based to those applying across the National Park or a wider area and should focus on demonstrating practical solutions to benefit our environment, society, culture and economy.

### **SDF Aim**

Through partnership, to develop and test ways of achieving sustainable development in a countryside of great natural beauty and diversity in which the local characteristics of culture, wildlife, landscape, land use and community are conserved and enhanced.

### **Objectives**

- To explore innovative ways of contributing as far as practicable to the Welsh Government's vision of a sustainable Wales, and of breaking down barriers that can act as obstacles to sustainability.
- To integrate sustainable development with the special qualities of the Park, and demonstrate the contribution of a strong sense of place and local identity to sustainable living.
- To build capacity in local communities and to develop and support community-based projects promoting sustainable development objectives.
- To generate greater awareness and understanding of sustainability amongst residents and visitors, and facilitate positive behaviour change.

### **Sustainable Development**

The Welsh Government's Well-being of Future Generations (Wales) Act 2015 describes "sustainable development" as about improving the way that we can achieve our economic, social, environmental and cultural well-being. The principle of sustainable development is defined as to "act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs". The Act sets out seven well-being goals. SDF supported projects will contribute towards one or more of these well-being goals:-

A prosperous Wales.	An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of wealth generated through securing decent work.
A resilient Wales.	A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic resilience and the capacity to adapt to change (for example climate change)
A healthier Wales.	A society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood
A more equal Wales.	A society that enables people to fulfil their potential no matter what their background or circumstances.
A Wales of cohesive communities.	Attractive, viable, safe and well-connected communities.
A Wales of vibrant culture and thriving Welsh language	A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
A globally responsible Wales	A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being and the capacity to adapt to change (for example climate change)

## POLICY STATEMENT

The Pembrokeshire Coast National Park Authority (PCNPA) **recognises the important role that the scheme has in terms of** mainstreaming sustainable development, and working closely with National Park communities for a better quality of life. PCNPA is committed to operate the scheme in accordance with criteria set out in the Authority's Grant Application Guidelines document.

## THE AUTHORITY'S COMMITMENT

- The provision of dedicated staff to coordinate and facilitate delivery of the SDF scheme.
- Provide the opportunity for key external individuals to be involved in the determination of applications through an SDF Committee ('the Committee') made up of representatives of the public, business/private, and community/voluntary sectors.
- Provide the facility of allowing applicants to present their applications to the Committee.
- Allow the right of appeal to any applicant whose project is rejected by the Committee.
- Encourage community organisations, businesses, and individuals to develop sustainable projects eligible for funding.

- Provide a straightforward unbureaucratic process that positively encourages applications from businesses, individuals and small organisations.
- Provide a proportion of the main SDF grant to support a small grant scheme, with relaxed criteria (currently up to £1500), known as “Little Green Grants”.
- Provide successful applicants with ongoing advice and support throughout the life of their project.
- Monitor and review all projects, and report regularly on their success or otherwise, and the general management of the fund.

## **PROCEDURES/COMPOSITION/TERMS OF REFERENCE OF THE SDF COMMITTEE**

In order to provide an effective, efficient and fair process for determining applications, the SDF Committee will be comprised of six Members of the Authority, appointed annually by the full Authority, together with six Advisory Members who will be representatives drawn equally from the Public, Business/Private, and Voluntary/Community sectors.

The Public Sector will be represented by:

- An officer of Pembrokeshire County Council
- A representative of Natural Resources Wales

The Business/Private Sector:

- A representative of a local business organisation or enterprise or an individual with relevant business experience
- A representative of a local businesses sector

The Voluntary/Community Sector:

- A representative of the Pembrokeshire Association of Voluntary Services (PAVS)
- A member of a local community with an interest in the environment and sustainable development or a representative of an organisation working with and for local communities

Each Advisory Member will nominate an alternate to sit on the Committee if they are unable to attend and details of that alternate Member will be provided to the Authority.

The Committee will be chaired by a Member of the Authority, elected by the Authority Members of the Committee. This will happen at the first meeting following the Authority’s Annual General Meeting. The Deputy Chair will also be elected by the same process. All Advisory Members of the Committee will serve for a period of four years. Representatives of the Public and Voluntary Sectors will be nominated by their respective organisations. The SDF Administrator and relevant PCNPA Officers will select the representatives of the Private and Community Sectors through interview process if necessary. (An advert for such positions will be placed on the PCNPA website and in local newspapers).

Advisory Members will contribute to the assessment and decision making process by making a recommendation to Authority Members on the Committee who are empowered to determine allocation of all SDF grant money. Advisory representatives contributing to the decision making process will not represent the interests of their organisation but input based on their personal

knowledge, expertise and experience. Advisory representatives will be expected to abide by and commit to accepting the ethical basis and terms of the Authority's Code of Conduct for Members and sign a declaration to that effect.

## **STAFF AND BUSINESS**

The administration and financial arrangements for the Committee will be undertaken by the PCNPA.

The SDF Administrator and other relevant PCNPA Officers will attend Committee meetings to present applications for funding, to report on progress of SDF and to take the minutes.

## **MEETINGS**

To be held as and when required.

The quorum of the SDF Committee shall be no fewer than three Authority Members, with at least one County Council-appointed and one Welsh Government-appointed Member being present.

## **ASSESSING AND PROCESSING SDF APPLICATIONS**

Applications will initially be assessed to determine whether they meet the fund objectives and eligibility criteria contained in the Authority's Grant Application Guidelines document. Every application will be subject to a criteria checklist to identify any weak areas in the project application. The Committee has the right to alter or amend the criteria checklist if deemed appropriate to them. The SDF Administrator will assess if there is scope to work on any weak areas.

The proposal will be scrutinised to check the financial information supplied and determine whether the project finances, including overhead costs, are reasonable in the opinion of the Authority. Once an application is complete and a signed copy received, it will be presented to the next SDF Committee meeting. Applicants will by lodging their application acknowledge that the information provided will be in the public domain and as such governed by the Freedom of Information Act 2000 and the Data Protection Act. Whilst every effort will be made to protect sensitive commercial information the Authority has a legal duty to comply with these Acts. At the meeting the Committee will have before it:-

Agenda

Minutes of last meeting

SDF Administrator's update report including scheme cash flow summary

Relevant application(s)

Criteria checklist (s)

Any other supporting documents that may be relevant to the meeting

Copies of the above papers must be sent out to Committee Members at least five working days before a Committee meeting date.

All applicants will be invited to attend the Committee, and to give a brief overview of their project (up to ten minutes) followed by the opportunity for the Committee to ask questions.

Either at the end of each Q&A session, or after all the applications under consideration have been discussed and following the departure of applicants, the Committee will reach its decision. Taking into account the recommendation of the Advisory Members, the Authority Members will vote to approve (with any conditions as appropriate), reject, or defer each application in turn. The SDF Administrator will inform the applicant/s of the decision as soon as is practically possible, but no later than fourteen days after the decision has been made.

## **APPEALS PROCEDURE**

If an application is refused the applicant may appeal against the decision.

The appeal may be based on:

- i. a claim of incorrect procedure or
- ii. a claim of an incorrect decision

Any appeal must be made in writing within seven days of the date on which the applicant is notified of the decision and sent to the Authority's Monitoring Officer. The Authority has 28 working days to determine an appeal.

An appeal on the grounds of incorrect procedure will be reviewed by the Monitoring Officer. If the Monitoring Officer considers there has been a material defect in the procedure, the applicant shall be entitled to request that the application be reconsidered by an Appeal Panel.

An appeal on the grounds of an incorrect decision on the merits of the application will be heard by an Appeal Panel.

The Appeal Panel shall consist of five Members:

- three NPA Members, and
- two Advisory Members (or duly appointed substitute Advisory Members)

All of whom were not involved in the consideration of the original application or in any part of the application.

The final decision shall be made by a vote of Authority Members of the Appeal Panel, assisted and advised by the Advisory Members of the Appeal Panel.



# PEMBROKESHIRE COAST NATIONAL PARK AUTHORITY

## TERMS OF REFERENCE

### SUSTAINABLE DEVELOPMENT FUND COMMITTEE

The Sustainable Development Fund (SDF) Committee is responsible for considering all applications for financial assistance/support in connection with the SDF and to monitor and review the scheme.

The Sustainable Development Fund aims:

“Through partnership, to develop and test ways of achieving sustainable development in a countryside of great natural beauty and diversity, in which the local characteristics of culture, wildlife, landscape, land use and community are conserved and enhanced”.

#### **Committee Composition**

Committee membership will be comprised of six Pembrokeshire Coast National Park Authority (“Authority”) Members and six Advisory Members who will serve for a period of four years. Advisory Members will be representatives drawn equally from the Public, Business/Private and Voluntary/Community sectors. (Nominated substitute Advisory Members would only attend where a Full Advisory Member was unavailable).

Both the Chair and Deputy Chair will be elected from the six National Park Authority Members on the Committee. If the Chair is unable to be present, the Deputy Chair will preside. If neither the Chair nor the Vice-Chair is present, a Chair for that meeting shall be elected from the Authority Members present.

The SDF Administrator and other PCNPA Officers will advise and service the Committee as appropriate.

#### **Quorum**

The quorum of the SDF Committee shall be not less than three Authority Members, with at least one County Council-appointed and one Welsh Government-appointed Member being present.

#### **Application Assessment**

The Committee will consider all applications against criteria based on the scheme’s objectives as set out in the Authority’s Grant Application Guidelines document.

In considering applications, the Authority Members on the Committee shall have regard to any recommendation made to it by the Advisory Members, drawing on their specific areas of knowledge and expertise to promote a more sustainable way of living.

#### **Decision Process**

Advisory Members will contribute to the decision making process and make a recommendation to Authority Members who are empowered to decide in each case:

- (a) whether an application should be awarded grant
- (b) the level of grant to be awarded
- (c) any conditions to which a grant is to be subject

In relation to applications not awarded grant the Committee will indicate why an application is not deemed suitable for support under the Fund, they may suggest amendments to the proposal and invite re-submission of an amended application, or may place an application on a "reserve" list.

### **Meetings**

Meetings will be held as and when required.

### **Appeals procedure**

An aggrieved applicant may lodge an appeal in accordance with the appeals procedure as set out within the SDF policy document. The appeal may be on the grounds of:

- i) a claim of incorrect procedure, or
- ii) a claim of incorrect decision





## SUSTAINABLE DEVELOPMENT FUND GRANT CONDITIONS

<p><b>1. Definitions</b></p>
<p>(a) The <b>Grantee</b> means the person or organisation which has applied for Grant Assistance.</p>
<p>(b) The <b>Authority</b> means Pembrokeshire Coast National Park Authority.</p>
<p>(c) <b>Grant</b> means a grant paid out of the Sustainable Development Fund.</p>
<p>(d) <b>Offer of Grant</b> means the written Offer of Grant (so marked) and no other form of communication shall constitute a valid offer of Grant assistance.</p>
<p>(e) The <b>Project</b> means the project or part of a project in respect of which an Offer of Grant has been made. This is based on the Project Proposal Form approved by the SDF Committee.</p>
<p>(f) <b>Equipment</b> means any equipment acquired by the Grantee with the assistance of the Grant.</p>
<p>(g) <b>Terms &amp; Conditions:</b> As stated in the Offer of Grant letter, Publicity Conditions and these Grant Conditions.</p>
<p><b>2. General conditions</b></p> <p>The Grant is subject to any general conditions set for the Sustainable Development Fund by the Welsh Government.</p>
<p><b>3. Offer of Grant</b></p> <p>Offers must be accepted by the Grantee within 14 days of the written offer being made, using the enclosed acceptance form, otherwise the Offer of Grant will be deemed to have</p>

been withdrawn.

#### **Commencement of Work/Event**

Work on the project must not have commenced prior to Acceptance of the Offer of Grant being received by the Authority. In the case of Grant aid towards the holding of an event the event must not have taken place prior to the Acceptance of the Offer of Grant being sent to the Authority.

#### **4. Completion of Project**

The Project must be completed within the timetable stipulated in the Offer of Grant. The Authority may grant an extension of time where a Project has been delayed because of unforeseeable circumstances or those beyond the Applicant's control. Any extension must be sought in writing before the expiry of the timetable contained in the Grant Offer, citing reasons why the original timetable has not been maintained and giving a revised date for completion of the project.

#### **5. Change to Project**

The Grant monies shall only be applied to the agreed purpose of the Grant as defined in the Project Application Form approved by the SDF Committee. The Authority must be informed in writing of any change in the Project, its costs or estimated costs or its financing. Any change that is, in the opinion of the SDF Officer, substantial will be referred back to the SDF Committee. In the event of a change in the Project in respect of which the Authority has not given prior approval, the Authority shall not be bound to pay any monies to the Applicant in respect of the amended Project.

Any change to the approved Project will only be permissible if expressly authorised in writing by the Authority. It is stressed that an unauthorised change may render the project unacceptable and ineligible for grant assistance.

#### **6. Assignment**

The whole of the Grant shall be utilised to finance the approved Project and for no other purpose whatsoever. The Offer contained herein is for the benefit of the Grantee and the Grantee shall not be entitled to assign or transfer the benefit of the Offer of Grant in whole or in part or any of his or her rights hereunder without the express prior written consent of the Authority. In the event of a Limited Company any creation of additional shares or disposal of shares shall be notified to the Authority and the grant will cease unless express written approval is given by the Authority.

#### **7. Further Grants**

The Offer of a Grant towards a project shall not constitute a warranty that further Grants for the Project will be available for other parts or continuations of the Project.

## **8. Right to Inspect**

Any person authorised by the Authority in writing shall have the right to inspect any part of the Project its records or financial records at any reasonable time and upon reasonable notice being given to the Grantee. The Grantee shall ensure that any person so authorised by the Authority, shall be afforded unrestricted access to the Project and any documents or electronic data appertaining to or referring to the project, for this purpose.

## **9. Political Restriction**

The Grant shall not, whether directly or indirectly, be used or applied for any party political purpose whatsoever, or for the promotion of any particular religious, racial, ethnic or linguistic views or opinions

## **10. Use of Property**

In the event of a Grant being paid to facilitate the use of any property including any capital assets for a specified purpose or for the acquisition of Equipment, the Grantee shall ensure that for a period of at least 3 years from the date of the first payment of the Grant the Property and/or Equipment shall only be used for the purposes specified in the Offer, unless otherwise authorised in writing by the Authority.

## **11. Repair and Maintenance**

The Grantee shall ensure that all Capital Assets are kept in a good and proper state of repair and in working order.

The Grantee shall ensure that all relevant statutory and other legal requirements including compliance with relevant guidelines and codes of good practice are complied with.

## **12. Reports**

Where a Grant results in the production of a report, it is acknowledged that the copyright belongs to the author, but it is an express condition of this grant that the Authority be entitled to make all reasonable use of such a report for the purposes of research and promotion and for production to its auditors, members of any scrutiny Committee of the Authority, the SDF Committee, the Authority itself and any department of the Welsh Government.

## **13. Monitoring**

The Authority will monitor project progress during and after the end of project funding to ascertain project achievements.

To assist the Authority to monitor progress against agreed project milestones/targets and delivery of the projects aims and objectives, the Grantee is required to complete quarterly

written project progress reports, pursuant to point 14 below, and a final written project report at the end of the project.

The Authority may continue to keep in contact with you at unspecified intervals after the project grant funding has ended to assess any ongoing or future project progress.

#### **14. Payment of Grant**

The Grantee shall submit quarterly claims for payment of the Grant accompanied by all financial or other information reasonably required to verify the claim and calculate the Grant, together, in the case of events, with confirmation that the event took place. If requested by the Authority any further documentary and/or corroborative evidence must be provided of any element claimed.

Quarterly claims, accompanied by written, project progress reports, must be submitted to the Authority within one month from the end of each quarter, otherwise grant allocated for that quarter (as notified to the Authority on the Cashflow form) may be withdrawn, unless alternative arrangements have been made in writing with this Authority.

The final grant instalment will be held in abeyance until a duly authorised Officer of this Authority has completed a full evaluation of your project. Furthermore, any agreed final reports connected to the project must be produced and submitted to this Authority before the final payment is released.

The Authority shall not be obliged to pay any monies to the Grantee unless the Project has been carried out and completed in accordance with the terms and conditions and in the event of a breach of any of the above conditions the Authority may withhold the whole or any proportion of the Grant until such time as such breach has been remedied.

All invoices, receipts, bank records and papers related to the project must be available for inspection at any reasonable time and upon reasonable notice being given by an officer of the Authority.

Papers relating to the project must be kept for three years from the start of the project.

All payments will be made via BACS system, which necessitates completion of the enclosed proforma.

#### **15. Underspend**

The Grantee must notify the Authority in writing immediately of any underspending of the Grant. The Authority shall be entitled to require re-payment of the whole or part of such underspend.

#### **16. Repayment of Grant**

In the event of a material breach of any of the above conditions or any misrepresentation by the Grantee in connection with the application the Grantee shall repay to the Authority within 14 days on demand the whole or such proportion of the Grant as shall be determined

by the Authority. The Grantee shall immediately notify the Authority in writing of the occurrence of any of the above events.

**17. Non-waiver**

Any failure, omission or oversight by the Authority in exercising any right, power or privilege hereunder shall not operate as a waiver, amendment or variation of any of the terms and conditions hereof unless expressly agreed in writing by the Authority. Delay by the Authority in exercising any right, power or privilege hereunder shall not operate as a waiver amendment or variation of any of the terms and conditions hereof.

**18. Sale of Capital Asset(s)**

The Grantee shall not for a period of 3 years following the date of the first payment of the Grant sell or agree to sell the whole or any part of its interest in any capital assets, including Equipment, nor charge, mortgage, or part with possession of the same without the express prior written approval of the Authority. In the event of a sale or other disposal of capital assets within 5 years of the first payment of a Grant the Grantee is required to repay to the Authority (within one month of the receipt of the sale proceeds) such proportion of the sale proceeds as the Grant bears to the cost of the project.

**19. Publicity**

The Authority shall be entitled to make public in such a manner as the Authority may reasonably require, details of the Grant offered/paid to the Grantee hereunder for the purposes of publicity should it so require. The Grantee shall be expected to give publicity to the Authority's and the Sustainable Development Fund's contribution to the Project in any publicity given to the Project. Such disclosure at all times to be subject to the Grantee's rights under the Data Protection Act 1998 as amended and the Freedom of Information Act 2000.

**20. Warrant**

In accepting this Offer of Grant the signatories of the acceptance confirm that they are authorised to sign on behalf of the Grantee.

**21. Equal Opportunities**

The Grantee shall maintain and operate an equal opportunities policy.

**22. Insurance**

The Grantee shall maintain a comprehensive policy of insurance in respect of all Capital Assets including equipment and staff funded by the Grant. Such insurance shall cover loss, damage or theft of all Capital Assets and, in respect of staff funded by the Grant, personal injury or death. If the Authority so demands the Grantee shall produce evidence of such current Insurance cover.

**23. Insolvency**

If the Grantee is wound up or goes into liquidation (including being subject to an administration order), receivership, bankruptcy, enters into any arrangement with creditors; or is likely, in the reasonable view of the Authority, to become unable to pay any of its debts, then the Authority shall be entitled to withhold any further payments to the Grantee or to anyone acting for or on its behalf or in its name, and reclaim any part payment already paid.

**24. State Aid**

If applicable you are being offered assistance in line with either: Commission Regulation (EC) No 1407/2013 of 24 December 2013, Commission Regulation (EC) no 1408/2013 of 18 December 2013 or Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty to de minimis aid.

The grant is at all times subject to compliance with the above Commission Regulation and any statutory modification or reenactment thereof.

**Please read & complete the de minimis aid statement**





## De Minimis State Aid Declaration

The De Minimis Regulation covers small amounts of aid ("de minimis" aid) within a predetermined threshold which do not count as State aid because the Commission considers that such small amounts of aid will have a negligible impact on trade and competition and are therefore exempt from the notification requirements of the EC competition rules.

The de minimis regulations relating to industry, agriculture or fisheries and aquaculture allow an undertaking to receive up to either: **€200,000, €15,000 or €30,000** in any three fiscal years, depending upon which de minimis regulation is applicable. Please note that the limits are in Euros, therefore when measuring the level of aid given, the official Commission Euro / £ exchange rate **at the time that the assistance is granted** must be used to determine the amount of aid given.

To confirm that you are able to receive this assistance you must declare the full amount of aid, from any public source, and in any format, you have already received over the last 3 fiscal years. You must declare whether or not it was de minimis aid. All aid received whether de minimis aid or exempted aid, **must be declared**.

**Please provide copies of any available state aids notification letters you have received as evidence of aid received.**

Note that this is a change from the requirements of previous regulations. Although unrelated aid which is approved under a block exemption or a state aid notified scheme does not normally have to be cumulated with de minimis aid, if you are seeking de minimis aid for an activity which has previously, or is currently receiving aid under a state aid notified or block exempted scheme, the value of this aid must be added to the de minimis aid currently offered by this project and the combined value of the aid be below the de minimis ceiling.

The following is not a comprehensive list of the possible forms of aid. However it should give an indication of the most common forms of aid, which you may have been given over the past three years. Potentially any assistance from a public body might be an aid. Should you have any doubts on this matter, please contact the body from which the assistance was received:

- Grants from public bodies
- Loans from public bodies at favourable rates
- Loan guarantees from public bodies
- Differential tax benefits

- Grants from an investment trust (including charities) which may themselves have received the funds from a public body
- Grants from a part publicly funded venture capital fund
- Publicly administered funds, even if the funds were originally not public such as the national lottery
- Landfill tax
- Waiving or deferral of fees or interest normally due to a public body such as the waiving or deferral of rent or waiver of interest normally due on late payment of taxation or other costs to a public body
- Monopoly licences or guarantees of market share
- Advertising via a public channel such as a tourist board or state owned television
- Consultancy advice provided either free or at a reduced rate
- Training provided either free or at a reduced rate
- Aid for investment in environmental projects
- Provision of a free or reduced rate feasibility study for research and development or other assistance with research and development
- Purchase of public land or property at a less than market rate
- Benefiting from the provision of infrastructure where your organisation was pre-identified as a beneficiary

These types of aid may have been provided under de minimis (as de minimis aid) or under another State Aid regulation. If you are in any doubt whether aid received was de minimis aid or about its value, check with the organisation, which provided it and if they are unable to say or there is any uncertainty then please contact us for advice.

Any de minimis aid awarded to you under this project will have to be declared if you apply, or have applied, for any other public funding. Therefore, if successful, **the offer letter must be retained** and shown to any other aid awarding body who requests information from you on how much de minimis aid you have received during the three fiscal years including the year in which this award has been made.

False declarations will lead to the recovering of the value of the assistance offered with interest

**Declaration**

I declare that the amount of state aid received by the company/organisation over the last three years is:

Year and date aid was granted	Value of the aid	From which body or under which scheme	What activity or item was the aid given for	Was it under a notified scheme or block exemption ? (y/n)	State Aids Notification Letter provided? (y/n)

If none please state 'NONE' here: .....

Signed ..... Date .....

Position .....

Must be an officer able to bind the organisation in legal agreements

Company/Organisation (full Legal Name)

.....

**Please return this form together with your grant acceptance form to :-**

SDF Officer,  
 Pembrokeshire Coast National Park Authority  
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