

	Scheme name / summary description of key terms	Funder	Value £'000
A	Economic growth		
	<p>TO NOTE – Final offer of grant funding yet to be received, however, Environment Agency funding is subject to a standard Memorandum of Grant upon which the information below is based.</p> <p>Upper Don Valley Flood Alleviation Scheme Phase 1</p> <p>Background See Appendix 1a</p> <p>Financial and Commercial Implications The grant offer is subject to terms and conditions set out in the Environment Agency Memorandum Relating to Capital Grants. Key features (not exclusive) are summarised as follows:</p> <ul style="list-style-type: none"> • Grant is provided on the understanding that the programme is completed. Grant may be withheld should the programme not be completed. • The grant must be spent on capital projects. • Competitive tendering should be undertaken unless there is a good reason to use another method. • Sale of the land or asset funded by the grant demands a repayment of a share of the proceeds. • Authorised entry to the work area and provision for inspection of the work must be available to the funder, at all reasonable times. • All funded work must be maintained and necessary repairs must be carried out promptly. • The grant is made on the basis of “whole life” costs and so includes an allowance for future maintenance. • Grant becomes due once the programme is satisfactorily completed. However due to the cost of the programme the funder may make interim payments during 	Environment Agency (Grant in Aid)	1,978

	<p>the work.</p> <ul style="list-style-type: none"> • A final account must be submitted within two years of completion. • If the terms and conditions are not met the funder may withhold the grant. • The Project Manager will need to read, understand and comply with all terms and conditions of the grant. <p>Legal Implications</p> <p>The local authority has a duty under section 9 of the Flood and Water Management Act 2010 as the Lead Local Flood Authority to develop, maintain, apply and monitor a strategy for local flood risk management in the area. The Upper Don Valley Flood Alleviation Scheme has been identified by the Council's own risk assessment as a project which is eligible for funding. The Environment Agency may under section 16 of the same legislation provide funding for such projects.</p> <p>The Council has the power to do anything incidental to its functions (s111, Local Government Act 1972). This includes the acceptance of grant funding.</p> <p>The grant must be used on specific projects outlined in the Upper Don Valley Flood Alleviation Programme Outline Business case submitted to the Environment Agency as part of our application for funding. The expenditure of the grant is subject to the Approval of Application letter and the Grant Memorandum relating to capital grants for local authorities and Internal Drainage Boards in England under the Flood and Water Management Act 2010, Coast Protection Act 1949, and Land Drainage Act 1991.</p> <p>Payment is made in arrears, although the Environment Agency may approve interim payments. As the grant is given for a specific purpose, use of the money otherwise than in accordance with the determination letter and Memorandum could potentially lead to the funding being reclaimed or could reduce the amount of funding received in the future:</p> <ul style="list-style-type: none"> • Condition 14 of the memorandum states that if we sell land or assets funded by the grant, we must repay a share of the proceeds, based on the original purchase financed from the grant. • The Memorandum draws attention to the fact that when we applied for the grant we had to show how the 'capital asset' would be properly maintained. It goes on to say that if we fail to maintain the project for its planned lifecycle, the Environment Agency may take this into account when assessing any future application for grant. 		
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B	Transport		
	<p>A bid is currently being submitted to the Department of Transport the outcome of which is expected on 18th March 2019 with the expectation that acceptance of the grant will have to be made before 31st March. The Department For Transport have indicated the grant terms will mirror those of an earlier award on which the information below is based.</p> <p>Clean Bus Technology Fund</p> <p>Background</p> <p>In February 2018 SCC were awarded £1.9m to be issued as grants to local Bus providers in order to facilitate retrofitting of Selective Catalytic Reduction Technology in buses in order to reduce associated harmful emissions.</p> <p>A further round of bidding for this funding has been announced and SCC has applied for a further £3.7m to extend the programme. The Department For Transport have indicated that the terms and conditions of the grant will mirror those of the original grant as below.</p> <p>Financial and Commercial Implications</p> <p>Key features of the grant terms and conditions (not exclusive):</p> <ul style="list-style-type: none"> • The funds are to be expended entirely on the project in SCC's project plan. • SCC must ensure that its use of the grant funding is compliant with EU State Aid rules and enable SCC to recover any grant which is deemed to be unlawful State Aid. • The project plan agreed at the inception meeting must be followed 	Department for Transport	Up to 3,700

	<p>and any changes to the timescale should be reported.</p> <ul style="list-style-type: none"> • Project progress reports will be required. <p>The Project Manager will need to:</p> <ul style="list-style-type: none"> • Read, understand and comply with all of the grant terms and conditions. • Ensure that there is an exit strategy for when the grant funding ends as there are no sources of funding identified for any ongoing costs. • Ensure that adequate funding agreements are developed when paying any grant funding over to third parties to deliver the project. Procurement • All public sector procurement is governed by both European Legislation and UK National Law. In addition, all procurement in Sheffield City Council must comply with its own Procurement Policy, and internal regulations known as 'Contracts Standing Orders' (CSOs). • Contracts Standing Orders requirements will apply in full to the procurement of services, goods or works utilising grants. All grant monies must be treated in the same way as any other Council monies and any requirement to purchase/acquire services, goods or works must go via a competitive process <p>Legal Implications</p>		
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	<p>There is no specific power that enables the Council to implement this particular project / work in the City. Under the General Power of Competence within the Localism Act 2011, the Council are permitted to do anything that individuals of full legal capacity may do giving the Council the power to take reasonable action it needs 'for the benefit of the authority, its area or persons resident or present in its area'. This includes entering into such agreements and incurring expenditure as required.</p> <p>Any such grant agreement that SCC enters into with third parties in connection with this Grant Funding is not yet drafted and will require the input of Commercial and Legal Services. Such agreements between the Council and the two bus operators will need to set out terms and conditions for how the grants can be spent, e.g. the technology and timelines and need to include provision for clawback should the Council be placed at financial or commercial risk.</p>		
C	Quality of life		
	None		
D	Green and open spaces		
	None		
E	Housing growth		
	None		
F	Housing investment		
	None		

G	People – capital and growth		
	None		
H	Essential compliance and maintenance		
	None		
I	Heart of the City II		
	None		