

	Scheme name / business unit / summary description of key terms	Funder	Value £'000
A	Economic growth		
	<p>Kirkbridge Dyke Flood Alleviation For Details of Scheme see Appendix 1 Section A</p> <p>Financial and Commercial Implications.</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 the work. A final account must be submitted within two years of completion. The grant is subject to clawback if terms and conditions are not complied with. <p>Commercial Implications</p> <ul style="list-style-type: none"> There are no direct commercial implications arising from this report. Any procurement activity associated with the grant award will be reported 		139

	<p>separately.</p> <ul style="list-style-type: none"> • All public sector procurement is governed by and must be compliant with both European Legislation and UK National Law. In addition, all procurement in SCC 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>The Project Manager will need to:</p> <ul style="list-style-type: none"> - Read, understand and comply with all terms and conditions of the grant. - Ensure that there are no ongoing unfunded costs once the grant funding has ended <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. 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</p>		
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	<p>Drainage Boards in England under the Flood and Water Management Act 2010, Coast Protection Act 1949, and Land Drainage Act 1991. 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> <p>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.</p> <p>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.</p>		
B	Transport		
	None		
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		