

	Scheme name / summary description of key terms	Funder	Value £'000
A	Transport Regeneration & Climate Change		
Page 77	<p>Local and Neighbourhood Transport Complementary Programme (LNTCP)</p> <p>Background</p> <p>Historically Sheffield City Council has been in receipt of an annual allocation of funding to deliver smaller scale interventions and improvements to highways and transport infrastructure. This was known as Local Transport Plan Funding and was provided by the Department for Transport and administered by South Yorkshire Passenger Transport Executive and would be for approximately £3m p.a.</p> <p>As part of the City Region Sustainable Transport Settlement South Yorkshire Mayoral Combined Authority (SYMCA) received £570m of funding over 5 years. This allocation incorporated allocations for Local and Neighbourhood Transport Complementary Programme (LNTCP) which is to replace the Local Transport Plan. As there is certainty of funding for 5 years SYMCA have provided a funding agreement for a total of £17,421,927 to cover the period until March 2027.</p> <p>Financial & Commercial Implications</p> <p>Key features of the Grant Agreement and terms and conditions are summarised as follows. The Project Manager will need to read, understand and comply with all of the grant terms and conditions and the Code of Conduct for Grant Recipients and develop an exit strategy to ensure that there are no ongoing unfunded costs when the grant ends:</p> <ul style="list-style-type: none"> • The Grant is a Capital payment of £17,421,927 from South Yorkshire Mayoral Combined Authority (“SYMCA”) and Sheffield City Council (“SCC”). • The Grant is to support delivery of localised investments within communities to open up the network to all users and encourage sustainable access to leisure, facilities and employment (the “Project”). • Grant subject to 5% retention payable on SCC provision of evidence of satisfactory Project completion to SYMCA • Grant inclusive of VAT. • Grant subject to quarterly claims • Grant used to achieve Project Outputs/Outcomes 	South Yorkshire Mayoral Combined Authority	17,422

- Grant for Qualifying Expenditure defrayed for the Project
- SCC funding contingent on SYMCA receipt of funding from the Department for Transport.
- Grant subject to clawback if Project does not achieve Outputs/Outcomes
- Commencement/Completion Dates as per Schedule 2
- Closure Date/Funding Cessation Date as set out in Schedule 2
- Subject to acceptable subsidies in the UK Subsidy Act/WTO-ASCM rules.
- Grant only for Eligible Costs, including SCC’s internal admin costs.
- Grant Claims must only be made using the approved claim form
- Grant shall not be used for any other purpose without SYMCA permission.
- Only claim Qualifying Expenditure defrayed from Commencement to Completion Date. Qualifying Expenditure outside these dates is ineligible.
- SCC required to complete annual compliance certificate signed by s151 officer.
- Notify SYMCA in advance of intention to apply for third party funding,
- Grant payment is conditional upon match funding letters provided to SYMCA and match funding will need to be eligible, available to use and evidenced.
- SCC shall neither apply for/ accept duplicate funding re: any part of the Project/related administration costs funded by SYMCA.
- Inform SYMCA if grant claims profile changes.
- SCC is responsible for any match funding shortfalls etc
- No Project changes without SYMCA approval
- SCC to ensure VFM in procurement of goods/services funded by the Grant.
- SCC to procure activity commencement within 30 days of Agreement date, and works must be commenced within three months of the Agreement date.
- Project Outputs/Project Outcomes are achieved by the Completion Date.
- SYMCA may clawback Grant in a number of circumstances
- Grant subject to Subsidy Rules and SCC warrants/represents that Grant is not prohibited by the Subsidy Rules
- SCC shall not breach the Subsidy Rules.
- SCC to comply with sustainable development principles in relation to the Project.
- SCC to inform SYMCA of other public funding used against the Eligible Costs
- Records to be kept for 10 years from April 2022.
- SCC is to comply with the accounting audit, monitoring and reporting requirements specified in the grant agreement.
- SCC must comply with the publicity requirements of the Grant Agreement).

- SCC must comply with the detailed performance management, data protection, project evaluation and key performance indicator requirements specified in the Grant Agreement.
- SCC must comply with the risk management obligations contained in the Grant Agreement and maintain an appropriate risk register.
- Grant maybe subject to External Audit.
- Grant is subject up to 100% total Clawback to the extent that the Project Outputs/Outcomes are not achieved in full by the Completion Date
- On Completion Date SYMCA, may take account of the extent to which the Project Outputs/Outcomes have been achieved.

Commercial Implications

All public sector procurement is governed by and must be compliant with the Grant Agreement 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).

CSO 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, comply with the Local Government Transparency Code 2015 and the Grant Agreement. The Portfolio / Service Grant Manager will need to contact the Commercial Services Team for detailed guidance on adherence to these rules when spending grant monies

Legal Implications

The Council has a general power under Section 1 of the Localism Act 2011 to do anything that an individual may generally do, provided it is not prohibited by other legislation and the power is exercised in accordance with the limitations specified in the Act. This enables the Council to become accountable body and accept the funding of up to £17,421,927, from the South Yorkshire Mayoral Combined Authority (SY MCA).

The Transport Act 2000 places a duty on local authorities to develop and implement policies which will promote and encourage safe, integrated, efficient and economic transport that meets the needs of persons living, working, visiting, or travelling through their area. This grant will enable the Council to meet this duty with the safer roads, active travel, network management and air quality, climate and environment projects being delivered.

If a decision is made to become accountable body for the funding, then the grant agreement will be entered into with the funder. Key points to note from the grant agreement with the SY MCA are:

Page 80	<ul style="list-style-type: none"> • Payment of the grant will be quarterly, as reimbursement of Qualifying Expenditure actually defrayed. • A 5% retention is being withheld, which will be paid upon completion of the Project Outputs by the Completion Date, subject to practical completion of the works, an interim Project Learning Review being received, review meetings taking place and audit issues being resolved. • The funding can be reduced, suspended, withheld or require repayment in specific circumstances. This includes for example a change to the projects not being approved or the works not being commenced within 6 months. • The grant is sourced from funding to the SY MCA from the DfT, the funding will be reviewed every year and in the event the funding is discontinued it will be considered a Force Majeure event. • All documents relating to the implementation and financing of this grant must be retained for 10 years from April 2022. <p>The Council must comply with all applicable legislation and regulations including but not limited to UK GDPR, the Data Protection Act 2018, Equality Act 2010 and the Subsidy Control Act 2022. SY MCA have confirmed that the grant to the Council is not considered to be a subsidy.</p>		
	B Communities Parks & Leisure		
	None		
C Waste and Street Scene			
	None		

D	Adult Health & Social Care	
	None	
E	Housing	
	None	
F	Education Children & Families	
	None	
G	Strategy & Resources	
	None	
Page 81	Economic Development & Skills	
	None	

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