

## **CONTAMINATED LAND PROGRAMME GRANT DETERMINATION No 1 (2011/12): No 31/1945**

The Minister of State for the Department for Environment, Food and Rural Affairs (“the Minister of State”), in exercise of the powers conferred by section 31 of the Local Government Act 2003, makes the following determination:

### **Citation**

1) This determination may be cited as the Contaminated Land Programme Grant Determination No 1 (2011/12) [No31/1945].

### **Purpose of the grant**

2) The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred or to be incurred by them on approved projects for site investigation and/or remediation in respect of land affected by contamination, in connection with their responsibilities under Part 2A of the Environmental Protection Act 1990.

### **Determination**

3) The Minister of State determines as the authorities to which grant is to be paid and the amount of grant to be paid, the authorities and the amounts set out in Annex A.

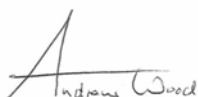
### **Grant conditions**

5) Pursuant to section [31(3) and] 31(4) of the Local Government Act 2003, the Minister of State determines that the grant will be paid subject to the conditions in Annex B.

### **Treasury consent**

4) Before making this determination in relation to local authorities in England, the Minister of State obtained the consent of the Treasury.

Signed by authority of the Minister of State for Environment, Food and Rural Affairs.



Andrew Wood  
**Deputy Director of Operations**  
**Environment Agency**

[5 July 2011]

## ANNEX A (Page 1 of 1)

<b>Authorities to which grant is to be paid</b>	<b>Maximum amount of grant to be paid</b>
Allerdale BC	£10,429
Brent LBC	£1,422,525
Bromsgrove DC	£194,000
Camden LBC	£288,574
City of Lincoln Council	£26,888
Epsom and Ewell BC	£10,768
Leeds CC	£148,230
Manchester CC	£43,949
Mendip DC	£53,402
Mole Valley DC	£19,853
Newcastle Upon Tyne CC	£148,995
North Hertfordshire DC	£68,635
Rochdale MBC	£48,000
Shropshire CC	£55,800
Slough BC	£395,977
South Oxfordshire DC	£273,026
Spelthorne BC	£112,278
St Helens MBC	£272,234
Warrington BC	£181,839
Wolverhampton CC	£20,600
<b>TOTAL</b>	<b>£3,796,002</b>

## **ANNEX B**

### **GRANT CONDITIONS**

#### **Introduction**

1. This document contains the conditions of a grant by the Environment Agency to a local authority under the Contaminated Land Grants Programme.
2. The Environment Agency reserves the right to refuse to make grant payments, or reclaim any amount paid as part of the grant, if a grant recipient fails to comply with these terms and conditions.

#### **Payment arrangements**

3. Subject to the scheme being carried out in a satisfactory manner in accordance with the provisions of the Grant Memorandum<sup>1</sup>, the Environment Agency will pay grant on the basis of the actual eligible expenditure during 2011-12 for the approved works.
4. The Environment Agency cannot give any commitment to pay grant for approved eligible works which are not completed by 31<sup>st</sup> March 2012.
5. Claims must be made on a Payment Claim Form (CL3) on completion of the approved works. The claim must be certified by the Authority's Chief Finance Officer. Claims for costs incurred in 2011-12 must be submitted on or before 31<sup>st</sup> March 2012.
6. Applications can be made for interim payments of grant to cover costs to date plus estimated expenditure up to three months in advance, provided these estimates are within the current financial year. Advances of grant will only be paid on written confirmation of works having started. Written includes post, fax or e-mail.

#### **Progress Reports**

7. The Environment Agency must be notified in writing how much grant is spent in each quarter of the financial year. This should reflect when elements of work are completed rather than when an invoice is paid. A form requesting this information will be issued to all grant recipients.

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<sup>1</sup> Environment Agency: Grant Memorandum 2011 for local authorities and internal drainage boards

8. Grant recipients must notify the Environment Agency of any grant underspend (or likely grant underspend) as soon as it is identified.

### **Amendments to approved projects**

9. The Environment Agency acknowledges that amendments to the approved project may be required. If during the course of the project additional works are considered necessary the grant recipient's Senior Project Manager must liaise with the Environment Agency Assessor. Any additional costs incurred that are not a result of agreed additional works on the approved project must be met by the grant recipient.
10. Where agreement is reached on the need for additional works which will increase the total project cost for 2011-12 beyond the maximum amount of grant to be paid, then the Environment Agency may consider an application for such costs.
11. The grant recipient's Senior Project Manager must notify the Environment Agency of any change to the forecasted project completion date as soon as it is identified.

### **Acknowledgement**

12. The Environment Agency as the source of the Grant shall be acknowledged on any construction signboards or permanent commemorative plaques or in announcements or briefings which the applicant or its contractors may make in connection with the approved project.

### **Appraisal, Monitoring and Financial Systems**

13. The authority must maintain reliable, accessible and up to date accounting records with an adequate audit trail for all expenditure funded by grant monies under this Determination.
14. The Environment Agency may audit a sample of grants paid through this programme. Grant Recipients will be expected to comply fully with such an audit and supply any documentation requested. Such audits will not commence less than 30 calendar days from issue of the notice of audit.
15. The Environment Agency reserves the right to commission an independent evaluation of activities relating to the Grant and the applicant shall assist with any such evaluation.

16. The applicant shall make available for inspection by, or on behalf of, the Environment Agency or the National Audit Office all accounting records referred to above or such other information relating to the administration of the approved project as they may, from time to time, reasonably require.

### **Final Report and Specified Documentation**

17. On completion of the approved project the grant recipient must complete a final report certified by the Authority's Chief Finance Officer. This must be submitted to the Environment Agency within three months of the completion date.

### **Breach of Conditions and Recovery of Grant**

18. The Environment Agency reserves the right to reclaim all or part of the grant payment if it identifies or receives notification of grant underspend or evidence that grant has not been spent on eligible costs on the specified project.
19. The Environment Agency reserves the right to reclaim all or part of the grant payment if the grant recipient does not submit a final report within three months of completion of the approved project.
20. If at any time after the award of a grant the grant recipient is able to reclaim all or part of the grant funded costs from a liable party the grant recipient must notify the Environment Agency to enable recovery of those costs.
21. The Environment Agency reserves the right to request receipts relating to the project up to 7 years from the cessation of the project. Grant recipients must ensure these are kept for this period.

**Environment Agency,**

**July 2011**