



# Department for Transport

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## APPENDIX B

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Office for Low Emission Vehicles  
Department for Transport  
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10 February 2016

### **Go Ultra Low City Scheme Section 31 Grant award for Financial Year 2015/16**

Dear Rasita

I am pleased to confirm the detailed terms and conditions on which the Secretary of State for Transport (“the Secretary of State”) is prepared to award grant under section 31 of the Local Government Act 2003 (s31) to Nottingham City Council (“the Authority”) for delivery of your Go Ultra Low City Scheme proposals which have been agreed (to be finalised with delivery plan) with the Office for Low Emission Vehicles (OLEV) for the financial year 2015/16 and beyond. The attached grant award is made with the approval of HM Treasury.

The attached document sets out the terms under which the Secretary of State is prepared to award grant under Section 31 of the Local Government Act 2003 to Nottingham City council.

The information contained in this letter, annexes and the attached documents should be brought to the attention of all relevant staff in the Authority. Your Chief Finance Officer is required to sign and return the enclosed acknowledgement slip confirming that they have understood and agreed the terms and conditions by which the grant operates.

The Secretary of State’s funding contribution of Nottingham City Council’s Go Ultra Low City Scheme proposals grant for 2015/16 will be paid as capital and revenue grant as set out in Annex 2A and the terms of the capital grant are set out in Annex 2B of the grant determination. Acceptance by the Authority of the award is acceptance of those terms.

The Secretary of State will not meet any grant claims that would result in the agreed annual grant allocation being exceeded.

The grant will be paid as follows:

- We will pay one “upfront” grant payment of £3,000,000 capital and £120,000 revenue funding for 2015/16 (as set out in Annex 2A to the grant determination)

below) to enable the programme to get underway. We expect to pay this in March 2016.

- Subsequent payments, to the total amount shown in the grant determination, will be made over the period 2016/2020 following on going delivery of your Go Ultra Low proposals as set out in the agreed delivery plan.

With regards to assurance, local authorities are public authorities and, by definition, are expected to have robust accounting, monitoring and transparency arrangements in place to allow for appropriate accountability to their communities. The Secretary of State has concluded that these arrangements are largely sufficient to allow for proportionate scrutiny of the Go Ultra Low City Scheme.

With regards to publicity, where it is intended that funding will be referenced, OLEV is keen for the Department's financial contribution to your project to be publicised. If you do decide to publicise the Department's contribution, please consult the Department on its brand guidelines.

As with previous advice, your proposals under the Go Ultra Low City Scheme may be subject to state aid requirements. It is the responsibility of local authorities to satisfy themselves that they are state aid compliant when using the Go Ultra Low City Scheme funding and in accepting this Grant Determination Letter you are confirming that the state aid analysis for your proposals (attached) accurately sets out all state aid risks associated with your proposals. You should therefore ensure that your project teams are versed on state aid law, as they are better placed to provide support on the operational matters within the Authority. Guidance on State Aid is available from: [www.gov.uk/state-aid](http://www.gov.uk/state-aid).

The Secretary of State may require repayment of any of the grant already paid, together with interest from the date of payment, if the Secretary of State is required to do so as a result of a decision by the European Commission or as a result of any obligation arising under European Union law.

In the event that your authority is unable to deliver your proposals, and with the agreement of the Secretary of State, grant monies may be returned to the Secretary of State in the manner and at such time agreed by the parties.

If there are any material changes to your proposals, for instance, that may have any implications on state aid, you should inform the Secretary of State immediately.

The authority will be expected to support monitoring and evaluation requirements where specified by the Secretary of State.

Should you wish to discuss the contents of this letter, please contact Steve Ives: 0207 944 4255; e-mail: [steve.ives@olev.gsi.gov.uk](mailto:steve.ives@olev.gsi.gov.uk).

Yours sincerely

Steve Ives

**Annex 1: Documentation to be provided by the Grant Recipient before the Grant will be released**

The Grant Recipient is requested to provide the following documents to enable the Secretary of State to release the Grant:

- a) a copy of the authorities Go Ultra Low City Scheme proposals and delivery plan as agreed with OLEV (post 25 January 2016);
- b) a signed copy of the Acknowledge slip below;
- c) details of a bank account of the Grant Recipient into which the Grant may be paid; and
- d) the name and contact details of personnel authorised by the Grant Recipient to deal with the Secretary of State on matters connected to the Grant on the Recipient's behalf.

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**ACKNOWLEDGMENT SLIP**

**OLEV Go Ultra Low City Scheme (Grant No: 31/2703 (Capital) & 31/2702 (Revenue))**

**I ACKNOWLEDGE RECEIPT OF THE S31 GRANT LETTER FOR NOTTINGHAM CITY COUNCIL FOR 2015/16.**

**I ACCEPT THE GRANT OFFER FOR AND ON BEHALF OF NOTTINGHAM CITY COUNCIL SUBJECT TO THE TERMS AND CONDITIONS SET OUT IN THIS LETTER AND THE ANNEXES TO THIS LETTER. I CONFIRM THAT I AM LAWFULLY AUTHORISED TO DO SO**

**SIGNED (CHIEF FINANCE OFFICER).....**

**PLEASE PRINT NAME.....**

**DATE.....**

Please return to the Office for Low Emission Vehicles (OLEV) Department for Transport, c/o Steve Ives, City Scheme Manager, OLEV, 1/31, Great Minster House, 33 Horseferry Road, London SW1P 4DR.

## **ANNEX 2: GRANT LETTER 2015/16: RULES AND INSTRUCTIONS FOR CLAIMING GRANT**

### **Grant Determination for the Go Ultra Low City Scheme Grant No: 31/2703 (Capital) & 31/2702 (Revenue)**

The Secretary of State for Transport (“the Secretary of State”), in exercise of the powers conferred on him by section 31 of the Local Government Act 2003, hereby makes the following determination:

#### **Citation**

1. This determination may be cited as the Go Ultra Low City Scheme Grant Determination No 31/2702 & 31/2703.

#### **Purpose of the grant**

2. The purpose of the grant is to provide support to receiving authorities in England towards expenditure lawfully incurred or accrued by them as capital and revenue costs of for the scheme specified in Annex 2A.
3. In making this grant the Secretary of State does not intend to effect a private law contractual relationship with the receiving authorities.

#### **Determination**

4. The Secretary of State determines:
  - (a) that the authority in Annex 2A is an authority to which grant under this determination is to be paid; and
  - (b) that the maximum amount of grant payable to the authority in respect of 2015-16 and subsequent years shall be the amount shown against the name of the authority in Annex 2A.

#### **Treasury consent**

5. Before making this determination in relation to local authorities in England, the Secretary of State obtained the consent of the Treasury.

#### **Grant conditions**

6. Pursuant to section 31(3) and 31(4) of the Local Government Act 2003, the Secretary of State determines that the grant will be paid subject to the conditions in Annex 2B.

Signed by



Richard Bruce (Head of OLEV)  
on authority of the Secretary of State

10 February 2016

**Annex 2A – Authority to which grant is to be paid and maximum amount of grant to be paid**

<b>Local Authority</b>	<b>Capital 2015/16</b>	<b>Revenue 2015/16</b>	<b>2015/16 Total Grant Allocation</b>	<b>2016/20 Capital funding only</b>
Nottingham	£3,000,000	£120,000	£3,120,000	£3,000,000

## **Annex 2B – Grant conditions**

### **Grant Conditions**

1. Capital grant paid to local authorities under this determination may be used only for the purposes for which a capital receipt may be used in accordance with regulations made under section 11 of the Local Government Act 2003.
2. The Chief Executive and Chief Internal Auditor of each recipient authority is required to sign and return to the Section 31 Grant Claims Manager (Go Ultra Low City Scheme) in the Department for Transport (OLEV) a declaration, to be received no later than six months after the physical completion of the relevant scheme(s), in the following terms:  
  
“To the best of our knowledge and belief, and having carried out appropriate investigations and checks, in our opinion, in all significant respects, the conditions attached to the Go Ultra Low City Scheme Project Grant Determination 2015-16 No: 31/2702 & 31/2703 have been complied with.”
3. If an authority fails to comply with any of the conditions and requirements of paragraphs 1 and 2, the Secretary of State may:
  - a) reduce, suspend or withhold grant; or
  - b) by notification in writing to the authority, require the repayment of the whole or any part of the grant.
4. Any sum notified by the Secretary of State under paragraph 3 (b) shall immediately become repayable to the Secretary of State.
5. The following costs are not Eligible Expenditure Payments: that support activity intended to influence or attempt to influence Parliament, Government or political parties, or attempting to influence the awarding or renewal of contracts and grants, or attempting to influence legislative or regulatory action.