

IFCA TRANSITIONAL FUNDING GRANT SCHEME DETERMINATION

No: NwCmb/2010

The Parliamentary Under-Secretary for Natural Environment and Fisheries ("the Parliamentary Under-Secretary"), in exercise of the powers conferred by the Appropriation Act 2009, makes the following determination:

Citation

1) This determination may be cited as the IFCA Transitional Funding Scheme Determination (2010) No: NwCmb/2010.

Purpose of the grant

2) The purpose of the grant is to provide funding to assist Sea Fisheries Committees in England to prepare for the additional duties incumbent with their vesting as Inshore Fisheries and Conservation Authorities. As such, the grant monies may only be expended on the Approved Expenditures determined in Annex A and in accordance with the Terms and Conditions set out in Annex B.

Determination

3) The Parliamentary Under-Secretary determines that the North West Sea Fisheries Committee and Cumbria Sea Fisheries Committee are to be paid the total amount of £116,092.00 IFCA Transitional Funding Grant. The detail amounts are set out in Annex A.

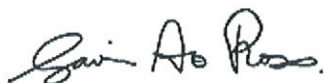
Grant conditions

4) Pursuant to the Appropriation Act, the Minister of State determines that the grant will be paid subject to the conditions in Annex A (which must be formally accepted by the Sea Fisheries Committee).

Treasury consent

5) Before making this determination in relation to local authorities in England, the Parliamentary Under-Secretary obtained the consent of the Treasury.

Signed by authority of the Parliamentary Under-Secretary for Natural Environment and Fisheries.



Gavin Ross

A senior civil servant within the Department for Environment, Food and Rural Affairs

18 October 2010

ANNEX A: Determination of amount of grant to be paid

Bid entry to be funded by grant		Amount of grant to be paid
Bid entry ref. no.	Bid entry name	
NW/Cmb1	Application costs	£2,844.00
NW/Cmb2	Fisheries officer	£18,419.00
NW/Cmb3	Admin support	£25,240.00
NW/Cmb4(1)	Branded stationary	£1,441.00
NW/Cmb4(2)	Branded signs	£1,050.00
NW/Cmb5(1)	Website merging	£970.00
NW/Cmb5(2)	Communications system	£1,635.00
NW/Cmb6(1)	Patrol vessels	£32,505.00
NW/Cmb6(2)	Quad bikes	£9,988.00
NW/Cmb6(3)	Patrol vehicles	£22,000.00
Total		£116,092.00

Annex B: IFCA Transitional Funding Grants Scheme 2010 Grant Terms and Conditions

Introduction

1. This document contains the terms and conditions under which a Grant will be paid by the Department for Environment, Food and Rural Affairs (Defra) to a Sea Fisheries Committee under the inshore Fisheries and Conservation Authorities (IFCA) Transitional Funding Grants Scheme.
2. As conditions of entitlement to a Grant, Sea Fisheries Committees must:
 - (a) provide formal written acceptance of the Grant offer and these accompanying Terms and Conditions; and
 - (b) comply fully with these Terms and Conditions.
3. Defra reserves the right to refuse to make, or to terminate payments of, or reclaim all or part of the agreed Grant in the event of any failure by a Sea Fisheries Committee to comply with these Terms and Conditions. In such a case the authority in question will have been previously notified and given a 30 day period within which to rectify such failure.

Approved Expenditure and Financial Arrangements

4. The Grant shall be paid to the Sea Fisheries Committee solely for expending on the Approved Expenditures as defined in Annex A and for no other purpose.
5. The grant will be paid by Defra for Approved Expenditures when the Sea Fisheries Committee, having accepted the grant, has submitted a Return Form complete with auditable receipts accounting for each Approved Expenditure.
6. The Sea Fisheries Committee may submit more than one Return Form (to receive the Grants in instalments) provided that the value of each Return Form exceeds £10,000 and that the total value of all submitted Return Forms does not exceed the value of the Grant.
7. The Sea Fisheries Committee must repay to Defra, within 30 days of notice, all or any part of the Grant paid to it that is not expended on the purpose for which it was given.
8. The Sea Fisheries Committee must not transfer or assign any rights, interests or obligations arising under the Grant without prior agreement by Defra.
9. The Sea Fisheries Committee must not permit a charge to be taken on any asset financed wholly or partly by the Grant funding without prior agreement by Defra.

Financial Management and Project Monitoring

10. The Sea Fisheries Committee must maintain effective appraisal and project monitoring and financial management systems so that the costs of the project and the outputs expected can be clearly identified, and the propriety, regularity and value for money of all transactions relating to the IFCA Transitional Funding Grant ensured.
11. If the Sea Fisheries Committee has any grounds for suspecting financial irregularity in the use of any grant paid under this funding agreement, it must notify Defra immediately, explain what steps are being taken to investigate the suspicion and keep Defra informed about the progress of the investigation. For these purposes "financial irregularity" includes fraud or other impropriety, mismanagement, and the use of grant for purposes other than those for which it was provided.
12. The Sea Fisheries Committee shall provide Defra with such other information relating to the project as may from time to time be reasonably required.
13. Defra reserves the right to commission an independent evaluation of activities relating to the IFCA Transitional Funding Grant and the Sea Fisheries Committee shall assist with any such evaluation.
14. The Sea Fisheries Committee shall retain and make available for inspection by, or on behalf of, Defra and or the National Audit Office, all accounting records referred to above or such other information relating to the administration of the projects approved under this scheme as they may, from time to time, reasonably require.

Termination and recovery of grant

15. If the Sea Fisheries Committee uses the IFCA Transitional Funding Grant or any part of it for purposes other than for expending on the Approved Expenditures, or if any overpayment is made under this grant or any amount is paid in error, or if any of the events set out in paragraph 16 occurs, Defra may at its sole discretion:
 - (a) terminate the agreement forthwith;
 - (b) recover from the Sea Fisheries Committee all or any part of the Grant previously paid; and
 - (c) recover from the Sea Fisheries Committee any expenses which Defra incurs as a result of the act or default of the Sea Fisheries Committee.
16. The events referred to in paragraph 15 are:
 - (a) the Sea Fisheries Committee purports to transfer or assign any rights, interests or obligations arising under this Determination without the prior agreement of Defra;

- (b) any information provided in any application for grant monies payable under this Determination, or in any subsequent supporting correspondence is found to be significantly incorrect or incomplete in the opinion of Defra;
 - (c) the Sea Fisheries Committee fails to comply with a term of these grant conditions;
 - (d) a charge is taken on an asset financed wholly or partly from the grant funding;
 - (e) it appears to Defra that other circumstances have arisen or events have occurred that are likely to significantly affect the Sea Fisheries Committee's ability to achieve the new Inshore Fisheries Conservation Authority powers and duties the preparation for which form the purpose of the Grant (as defined in the Grant Determination).
 - (f) the Sea Fisheries Committee is unable to provide reasonable assurance from its external or internal auditors that its expenditure (as represented the Returns Forms and invoices or other evidence that it submits to Defra), in all material respects, fairly represents eligible expenditure in accordance with the definitions and conditions in this Determination.
17. Without prejudice to the actions which Defra decides to take under paragraph 15, the Sea Fisheries Committee shall, within 30 days of termination, provide to Defra:
- (a) a report on the progress made in administering the IFCA Transitional Funding Grant up to the date of termination, together with accounting records, documents or such other information Defra may reasonably require;
 - (b) a statement containing details of all payments made and sums which Sea Fisheries Committees have undertaken to pay towards approved project, prior to the date of the notice of termination; and
 - (c) payment in full, including interest, of the outstanding IFCA Transitional Funding Grant.

Declaration

I declare, on behalf of myself and the Sea Fisheries Committee that I represent ('us'), that:

- I understand and accept the terms and conditions of grant;
- I understand that, where any materially misleading statements (whether deliberate or accidental) are given at any stage during the process, or where any information is knowingly withheld, this could (at Defra's discretion) render my grant application invalid and any grant funds received by us may be liable for repayment; and

- My organisation will take all reasonable precautions to ensure that grant funds received will not be misused or misappropriated in any way, and understands that Defra will take legal action to recover any misused or misappropriated funds.

Signed			
Title		Printed Name	