



2014 to 2020 European Structural and Investment  
Funds Growth Programme

Call for Proposals  
European Regional Development Fund

Priority Axis 4: Supporting the Shift  
Towards a Low Carbon Economy in All  
Sectors

<b>Managing Authority:</b>	<b>Department for Communities and Local Government</b>
<b>Fund:</b>	<b>European Regional Development Fund</b>
<b>Priority Axis:</b>	<b>Priority Axis 4: Supporting the Shift Towards a Low Carbon Economy in All Sectors</b>
<b>Call Reference:</b>	<b>OC16R15P 0271</b>
<b>Local Enterprise Partnership Area:</b>	<b>Heart of the South West</b>
<b>LEP Area Indicative Fund Allocation:</b>	<b>£4,000,000 in the transition area and £500,000 in the more developed area</b>
<b>Call Open:</b>	<b>10 December 2015</b>
<b>Call Closes:</b>	<b>23:59 29 January 2016</b>

# Contents

1.	Introduction.....	3
2.	Call Context.....	4
3.	Scope of the Call .....	5
3.1.	Scope.....	5
3.2.	Local Development Need .....	7
3.3.	Operational Programme Investment Priorities.....	8
4.	Required Outputs under this Call .....	13
5.	Application Process & Prioritisation Methodology .....	14
6.	General Information.....	15
6.1.	National Eligibility Rules .....	15
6.2.	Eligible Applicants .....	16
6.3.	Intervention Rate & Match Funding .....	16
6.4.	Project Timescales .....	17
6.5.	Capital Projects .....	17
6.6.	Cross Cutting Themes/Horizontal Principles .....	18
6.7.	Additionality, Duplication and Displacement .....	18
6.8.	State Aid & Revenue Generation .....	18
6.9.	Funding Agreement.....	19
6.10.	Procurement .....	19
7.	Support.....	20
8.	Key Documents .....	20
9.	Document Checklist.....	20
10.	Document Submission.....	21

# 1. Introduction

The 2014 to 2020 European Structural and Investment Funds bring the European Regional Development Fund, European Social Fund and part of the European Agricultural Fund for Rural Development together into a single European Union Structural and Investment Funds Growth Programme for England supporting the key growth priorities of innovation, research and development, support for Small and Medium sized Enterprises, low carbon, skills, employment, and social inclusion.

The Funds are managed by the Department for Communities and Local Government for European Regional Development Fund, Department for Work and Pensions for European Social Fund and the Department for Environment Food and Rural Affairs for European Agricultural Fund for Rural Development. These Departments are the Managing Authorities for each Fund. In London, the Greater London Authority acts as an Intermediate Body for the European Regional Development Fund and European Social Fund programmes. Unless stated otherwise, the term “Managing Authority” will apply to all these organisations. The Managing Authorities work closely with local partners who provide:

1. Practical advice and information to the Managing Authorities to assist in the preparation of local plans that contribute towards Operational Programme priorities and targets;
2. Local intelligence to the Managing Authorities in the development of project calls (decided by the Managing Authorities) that reflect Operational Programme and local development needs as well as match funding opportunities; and
3. Advice on local economic growth conditions and opportunities within the context of the Operational Programme and the local European Structural Investment Fund Strategy to aid the Managing Authority’s assessments at outline and full application stage.

This call is issued by the Department for Communities and Local Government and invites Outline Applications in respect of the European Regional Development Fund for England 2014 to 2020.

## 2. Call Context

On behalf of the national Growth Programme Board, the Department for Communities and Local Government (the Managing Authority) invites applications seeking European Regional Development Fund support under:

### **Priority Axis 4 Supporting the Shift to Low Carbon Economy in All Sectors**

#### **Investment Priorities:**

- 4a** Promoting the production and distribution of energy derived from renewable resources.
- 4c** Supporting energy efficiency, smart energy management and renewable energy use in public infrastructure, including in public buildings, and in the housing sector.
- 4e** Promoting low-carbon strategies for all types of territories, in particular for urban areas, including the promotion of sustainable multimodal urban mobility and mitigation-relevant adaptation measures.
- 4f** Promoting research and innovation in, and adoption of, low-carbon technologies.

The European Regional Development Fund Operational Programme for England 2014 to 2020 sets out how the European Regional Development Fund will focus on investment to support economic growth and job creation. **Priority Axis 4** of the Operational Programme aims to move England's economy towards a low carbon model by reducing Greenhouse Gas emissions, increasing the share of renewable energy and enhancing the energy efficiency of homes businesses and transport.

Any application for funding will be required to clearly demonstrate that it meets the requirement of, and makes a meaningful contribution to, the delivery of the relevant Priority Axis of the [European Regional Development Fund Operational Programme](#).

In addition, applications will be expected to meet identified local development need, as expressed in the scope of this call and as set out in the [Heart of the South West](#) Local Enterprise Partnership European Structural and Investment Funds Strategy.

Applicants are advised to familiarise themselves with the detail of the Operational Programme, local European Structural and Investment Funds Strategy and the relevant documentation listed in sections 5 through to 8 **prior to** submitting an Outline Application.

### 3. Scope of the Call

#### 1. Scope

This call invites Outline Applications which support the delivery of **Priority Axis 4** of the European Regional Development Fund Operational Programme and responds to the local development need set out in the [Heart of the South West Local Enterprise Partnership Area European Structural and Investment Funds Strategy](#).

<b>Indicative Fund Allocation:</b>	<p>Indicatively, through this call the Managing Authority expects to allocate up to £4,000,000 in the transition area and £500,000 in the more developed area (see geographical scope for description).</p> <p>The Managing Authority reserves the right to increase or decrease the indicative allocation, or support more or fewer projects subject to the volume and quality of proposals received.</p> <p>There is no indicative allocation of European Regional Development Fund funding between capital and revenue activity, both capital and revenue is eligible dependent on the nature of activities/Investment Priorities set out in the call.</p>
<b>Minimum application level</b>	<p>European Regional Development Fund investment is intended to make a significant impact on local growth. Applications are expected to demonstrate appropriate scale and impact. The Managing Authority does not intend to allocate less than £500,000 European Regional Development Fund to any single project. Consequently projects with a total value of less than £1,000,000 will not be supported under this call (or £833,333 for projects entirely within the transition region).</p>
<b>Duration of project approvals</b>	<p>Projects should be for a maximum of three years, however the Managing Authority reserves the right to vary the maximum duration in exceptional circumstances.</p>
<b>Geographical Scope</b>	<p>All interventions are confined to activity and beneficiaries within England.</p> <p>Projects should predominantly support businesses based within the transition area (Devon county and Plymouth and Torbay unitary authorities) and more developed area (Somerset) of the Heart of the South West Local Enterprise Partnership area.</p>

<p><b>Specific call requirements</b></p>	<p>It is expected that multiple awards will result from this call. Applicants are invited to bring forward proposals for delivery across both categories of region.</p> <p>The maximum funding that the European Regional Development Fund can contribute for any project is up to 60% (in the transition area) and up to 50% (in the more developed area) of the total eligible project costs subject to State Aid regulations. The level of European Regional Development Fund awarded will be the minimum needed in order for the project to proceed. The remaining 40% or more must come from other eligible sources. Applicants are responsible for identifying match funding sufficient to complete the funding package. This must be from a source other than the European Union.</p> <p>Applicants should note that the outputs contained in the European Regional Development Fund Operational Programme are the absolute minimum to be achieved and that local partners and the Managing Authority expect applicants to present an ambitious set of outputs demonstrating good value for money. The following is of particular note for Priority Axis 4:</p> <ul style="list-style-type: none"> <li>• Investment Priorities 4a and 4c – demonstrator projects for small scale devices and for smart grid heat proposals are eligible. Large scale commercial schemes are not eligible. We would particularly welcome projects that engage local community groups.</li> <li>• Investment Priority 4c – Standard retrofit projects will not be supported as part of this call. The Operational Programme’s focus is on whole building or place solutions exemplifying next phase technologies which are near to market. Standard retrofit technologies such as loft, cavity and solid wall insulation, double/standard triple glazing and boilers) are not eligible unless the proposal clearly demonstrates a particularly innovative approach.</li> <li>• Investment Priority 4e - projects which reduce greenhouse gas emissions as part of a low carbon strategy(s) through an integrated approach (combining several connected measures within an area) are encouraged. Applicants will need to detail baseline information from the <a href="#">2011 local authority carbon dioxide data</a> so that a reduction can be measured.</li> </ul>
<p><b>Call Deadlines</b></p>	<p>For this specific call, applications will be assessed after the</p>

	call closes. Applications received after that date will not be considered.
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## 2. Local Development Need

Projects must deliver activity which directly contributes to the objectives of Priority Axis 4 of the Operational Programme, one or more of the relevant Investment Priorities and meet the **local development need** expressed in the table below.

### LOCAL DEVELOPMENT NEED

#### Local Economic Context :

The Heart of the South West Local Enterprise Partnership covers Devon, Somerset, Plymouth and Torbay (based on local authority boundaries). The Heart of the South West Local Enterprise Partnership European Structural and Investment Funds Strategy brings together activities to help small and medium sized enterprises and social enterprises reach new markets and reduce isolation. It highlights that information failures (both on the part of customers relating to the potential benefits and suppliers in terms of likely return on investment) are inhibiting the growth of this sector and provides a rationale for intervention.

The strategy groups low carbon activity together under Integrated Activity C. The Local Enterprise Partnership's primary aim is to use the many low carbon opportunities in the area to stimulate and support the growth of its low carbon businesses. The strategy sets out an ambition to use the Local Enterprise Partnership area's many low carbon opportunities to stimulate and support the growth of the low carbon sector through:

- Support for the deployment of low carbon energy technologies and infrastructure, particularly those technologies where the Heart of the South West has potential competitive advantage or a leadership opportunity (e.g. marine renewables, smart grids, decentralised heat and energy efficiency);
- Market stimulation activities – adding value to, and complementing, national schemes to promote private investment in renewable energy and energy efficiency;
- Support small and medium sized enterprises to diversify technologies from one sector to another (e.g. advanced manufacturing to marine);
- Support low carbon sector small and medium sized enterprises to enhance capacity and capability to take advantage of national and local low carbon opportunities.

The strategy highlights the following evidence to support this call:

1. The Local Enterprise Partnership area has vast renewable energy resources including onshore wind, offshore wind, biomass and solar;

2. The Local Enterprise Partnership area has world class offshore wind, wave and tidal energy resources - the South West Marine Energy Park is working to develop 9,200MW of marine energy and offshore wind by 2020, bringing forward investment

in tidal energy in North Devon and the Bristol Channel;

3. Renewable energy installations have grown ten-fold since 2005 and have the potential for further growth, bringing jobs and opportunities to businesses in the Local Enterprise Partnership area;

4. Partners have identified that the Local Enterprise Partnership area has existing strengths and opportunities to lead in technologies related to decentralised heating and energy efficiency, in particular smart systems, district heating, combined heat and power and community energy initiatives;

5. The rural nature of the Local Enterprise Partnership area means that 20% of homes (150,000) are off the gas grid and many are old and hard to insulate with 28% having solid walls.

### **Local Priorities:**

Proposals should demonstrate alignment with local development need and priorities including:

How the project will stimulate the growth of the low carbon sector in the Heart of the South West area, highlighting how, *where relevant*:

- The investment will help small and medium sized enterprises to reach new markets;
- The investment will create opportunities for development of new products and services and commercialisation;
- Small and medium sized enterprises will be supported to diversify technologies from other sectors;
- Applicants will work in close partnership, and not duplicate, the Heart of the South West Growth Hub where appropriate. This would include a joined up service for the businesses as well as regularly sharing information;
- The project will support the growth of sectors/technologies where there is existing or potential comparative advantage for the Heart of the South West area;
- The project addresses key low carbon challenges and opportunities for the area (e.g. energy storage, fuel poverty);
- The project will engage local community groups.

Applicants should note that the European Regional Development Fund is only able to fund activities set out in the Operational Programme which may not include all the activities specified in the Heart of the South West Local Enterprise Partnership European Structural and Investment Funds Strategy.

### **3. Operational Programme Investment Priorities**

Applications must specify the activities to be delivered and are expected to directly contribute to **one or more** of the following Investment Priorities:



<b>Investment Priority</b>	<b>4a – Promoting the production and distribution of energy derived from renewable sources</b>
<b>Specific Objectives</b>	Increase the number of small scale renewable energy schemes in England
<b>Indicative Actions</b>	<p>Projects will support micro-energy installations, off-grid energy productions, renewable heat networks and ground and air source heat pumps:</p> <p>The type of measures that might be implemented with support from European Regional Development Fund.</p> <p>Under this investment priority, indicative actions to be supported by European Regional Development Fund may include:</p> <ul style="list-style-type: none"> <li>• Measures to support increased production of renewable fuels and energy, in particular wind energy, solar and biomass</li> <li>• Support to build capability and capacity for supply chains in renewable energy</li> <li>• Demonstration and deployment of renewable energy technologies</li> <li>• Measures to support the wider deployment of renewable heat, including micro-generation, geothermal, renewable heat networks or district heating, ground source and air source heat pumps, and biomass systems with associated heat off-take and heat distribution networks along with recycling processing reprocessing and remanufacturing facilities, and</li> <li>• Anaerobic digestion plants and other biomass or landfill gas schemes.</li> </ul>

<b>Investment Priority</b>	<b>4c – Supporting energy efficiency, smart energy management and renewable energy use in public</b>
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	<b>infrastructure, including in public buildings, and in the housing sector</b>
<b>Specific Objectives</b>	Increase the energy efficiency of homes and public buildings, including through the implementation of low carbon technologies
<b>Indicative Actions</b>	<p>Under this investment priority indicative actions to be supported by European Regional Development Fund may include:</p> <ul style="list-style-type: none"> <li>• Provision of advice and support to increase the use and take up of low carbon technologies, energy efficiency measures, renewable energy technologies and smart energy systems in housing stock and public buildings</li> <li>• Supporting low carbon innovation in relation to the integrated ‘whole place’ energy management approach including energy waste and re-use</li> <li>• Investing in building retrofit, energy efficiency measures, renewable and smart energy systems deployment, especially whole building or place solutions exemplifying next phase technologies which are near to market</li> <li>• Investing in domestic energy efficiency, renewable energy and smart construction techniques</li> <li>• Investment in the development and wider use of Energy Performance Contracting in the public buildings and housing sectors.</li> </ul>

<b>Investment Priority</b>	<b>4e – Promoting low-carbon strategies for all types of territories, in particular for urban areas, including the promotion of sustainable multimodal urban mobility and mitigation-relevant adaptation measures</b>
<b>Specific Objectives</b>	Increase implementation of whole place low carbon solutions and decentralised energy measures.

**Indicative Actions**

Activity under this investment priority will be complementary to, and work alongside, activity under investment priority 4(a). Activity under this investment priority is based on a holistic approach to the reduction of Green House Gas emissions, ensuring that actions are integrated within the framework of an overarching strategy or strategies.

In order to promote such strategies, examples of actions to be supported by European Regional Development Fund may include:

- investments in local/regional smart grid demonstration projects, including validation and solving system integration issues
- sustainable energy action plans for urban areas, including public lighting systems, smart metering and distribution through smart grids
- Investments in combined heat and power from renewable sources
- Investments to encourage the adoption of renewable technologies.

A strategic approach is particularly important in the area of low carbon transport, whether for sustainable urban mobility, or improving links between urban and rural areas, or connecting dispersed rural communities. Examples of actions include:

- investments in actions aimed at improving the capacity at local level to develop and implement integrated and sustainable transport strategies and plans (including for example actions related to modelling data collection, integrated transport management, operations and services, public consultation etc) to reduce transport related air pollution, in particular retrofit or replacement programmes for bus fleets, incentive schemes for cleaner transport, improved public transport infrastructure and alternative forms of transport
- investments in actions aimed at introducing innovative environmentally-friendly and low-carbon technologies (for example, alternative fuel stations or charging points)
- investments in actions aimed at developing innovative and multi-modal transport services (for example, intelligent transport systems for travel information and planning, traffic and demand management, smart

	<p>ticketing, multimodal integrated datasets or cooperative systems)</p> <ul style="list-style-type: none"> <li>• innovative transport pricing and user charging systems</li> <li>• cycle paths, walkways and waterways only where part of an integrated approach to Green House Gas reductions.</li> </ul>
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<b>Investment Priority</b>	<b>4f – Promoting research and innovation in, and adoption of, low-carbon technologies</b>
<b>Specific Objectives</b>	Increase innovation in, and adoption of, low carbon technologies
<b>Indicative Actions</b>	<p>Under this investment priority indicative actions to be supported by European Regional Development Fund may include:</p> <ul style="list-style-type: none"> <li>• Research and Development, innovation and supply chain work for low carbon technologies and materials, including, wave and wind energy, smart grids, distributed generation, solar and photovoltaics, heat networks, heat pumps and low carbon heat for energy intensive industries</li> <li>• Research underpinning carbon capture and storage, taking account of the restrictions laid down in Article 3.3.b of the European Regional Development Fund</li> <li>• Technology centres of excellence and test facilities, including relevant Catapult centres</li> <li>• Renewable technologies in the United Kingdom renewable energy roadmap</li> <li>• Research, development, demonstration and adoption of technologies and systems that support low-energy</li> </ul>

	<p>transport and accelerate the establishment of new technologies such as low emissions vehicles (electric, hybrid and hydrogen)</p> <ul style="list-style-type: none"> <li>• Knowledge transfer with Higher Education/Further Education institutions and Businesses</li> <li>• Supporting low carbon tech start-ups and greater commercialisation of low carbon products and processes</li> <li>• Developing financing methods that encourage the adoption of proven low carbon technologies and generate long-term financial savings</li> <li>• Demonstration and deployment of decentralised renewable energy technologies</li> <li>• Research, development and innovation and supply chain development for low carbon and resource efficient technologies and materials (including small scale pilot programmes that test the market with new low carbon solutions and the use of secondary materials).</li> </ul>
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## 4. Required Outputs under this Call

Projects must deliver against the Priority Axis 4 outputs and results of the European Regional Development Fund 2014 to 2020 Operational Programme. For projects coming forward under this call the expected outputs and results are:

<b>ID</b>	<b>Output Indicator</b>
C1	Number of enterprises receiving support
C5	Number of new enterprises supported
C26	Number of enterprises cooperating with research institutions.
C29	Number of enterprises supported to introduce new to the firm products
C30	Additional capacity of renewable energy production
C31	Number of households with improved energy consumption
C32	Decrease of annual primary energy consumption of public buildings

Applicants will need to demonstrate how the eligible activity, funded by the European Regional Development Fund, will achieve the deliverables committed to within the proposal. The application should clearly state the methodology used to determine the levels of outputs proposed.

All operations will be required to report regularly on progress toward achievement of targets. This will need to include both quantitative and qualitative data relevant to the appropriate geographical areas. Applicants will need to explain how they will collect and record this information to maintain a fully evidenced audit trail. It should be noted that if an operation fails to deliver contracted deliverables, a performance penalty may apply.

## 5. Application Process & Prioritisation Methodology

There are two stages to the European Regional Development Fund application process;

1. Outline Application and, if successful
2. Full Application.

Acceptance of an Outline Application to progress to full application stage does not in any way indicate or constitute an offer of European Regional Development Fund grant.

Applicants must fully complete the [Outline Application](#) which will be assessed by the Managing Authority against the national [Selection Criteria](#).

Outline Applications will be assessed in two stages, Gateway assessment and Core assessment.

Gateway assessment considers:

- applicant eligibility;
- activity and expenditure eligibility; and
- fit with the National Operational Programme and the local development need set out in section 2.

Proposals that fail the Gateway assessment will be rejected. Proposals which pass the Gateway assessment will then be assessed against the Core assessment criteria:

- Strategic Fit

- Value for money
- Management and control
- Deliverability
- Compliance
  - Procurement
  - State Aid
  - Publicity requirements
- Cross cutting themes
  - Environmental sustainability
  - Equal Opportunities

Having assessed projects against these criteria the relevant Local Economic Partnership Area European Structural and Investment Fund Sub-Committee will advise the Managing Authority on the alignment to local economic growth conditions and opportunities within the context of the Operational Programme and local European Structural and Investment Fund Strategy to aid the Managing Authority's assessments (at outline and full application stage).

Please note that the Managing Authority's decision is final and there are no appeals. If you wish to complain about the calls and application process, please follow the procedure set out at <https://www.gov.uk/government/organisations/department-for-communities-and-local-government/about/complaints-procedure>

## 6. General Information

### 1. National Eligibility Rules

When developing an application, Applicants must refer to the [National Eligibility Rules](#) setting out the requirements of the 2014-2020 European Regional Development Fund Programme. It is the responsibility of the Applicant to ensure that the Rules are adhered to both at application stage and following approval. Failure to do so can lead to financial penalties leading to recovery of up to 100% of grant. Applicants are strongly advised to seek specialist advice if in doubt on any requirement.

European Regional Development Fund eligibility rules apply to **all** project spend within the eligible costs, including match funding.

The European Regional Development Fund is governed by European regulations and national rules. Applicants are advised to familiarise themselves with the relevant documentation, (Section 8 Key Document refers) prior to submitting an Outline Application. If successful, Applicants will enter into a Funding Agreement and must abide by the standard terms and conditions contained therein. Applicants are therefore strongly advised to read these terms and conditions to ensure that they are

able to enter into such an agreement prior to responding to the call. Once a Funding Agreement has been issued it should be signed and returned within 30 days, unless otherwise agreed with the Managing Authority.

## **2. Eligible Applicants**

Section 4 of the [National Eligibility Rules](#) sets out who is eligible to apply.

Applicants must be legally constituted at the point of signing a Funding Agreement. If the application is approved the Applicant organisation will enter into a legally binding Funding Agreement and therefore will carry the liability for ensuring that the terms and conditions of the Funding Agreement are met.

If there is more than one organisation applying for the funds, a lead organisation must be selected to become the Applicant with the remaining organisation(s) acting as Delivery Partner(s). In this situation the Applicant would be responsible and liable for the Delivery Partner(s) and ensuring the project is operating compliantly.

During the application process the Managing Authority will consider the Applicant's track record, both positive and negative. If the Applicant has been involved in the delivery of previous European grants and any irregularities have been identified, the Managing Authority will expect to see how and what steps have been taken to ensure that the risk of further irregularities in the future is mitigated. It is acknowledged that some organisations will be new to European Structural and Investment Funds funding and will not have a track record.

## **3. Contribution Rate & Match Funding**

European Regional Development Fund is normally expected to intervene where no other funding can be obtained (i.e. the funder of last resort). The level of European Regional Development Fund awarded will be the minimum in order for the project to proceed.

The maximum Contribution Rate is 50% (for the more developed region) or 60% (for the transition region) of the total eligible project costs subject to State Aid regulations.

The remaining 40% or more must come from other eligible sources as specified under section 6 of the National Eligibility Rules. Applicants will need to demonstrate that they have eligible match funding in place for the balance of costs. Other European Union funds cannot be used as a source of match funding.

European Regional Development Fund investment is limited by State Aid regulations and where the award of European Regional Development Fund would constitute State Aid the European Regional Development Fund grant rate may fall below the 50% (for the more developed region) or 60% (for the transition region) maximum.



European Regional Development Fund is paid quarterly in arrears and expenditure must be defrayed prior to the submission of any Grant claims. Applicants may be asked to demonstrate how they are able to cash flow the operation.

#### **4. Project Timescales**

European Regional Development Fund funding will normally be approved for three years, however the Managing Authority reserves the right to extend the contract term in exceptional circumstances.

Projects approved through this call are expected to:

- Submit a detailed and complete full application within three months of formal selection at outline stage. Projects which fail to meet this deadline may be deselected,
- Commence delivery (defraying European Regional Development Fund eligible costs) within three months of formal approval. Projects which fail to meet this deadline may be deselected, and
- Be completed by June 2023.

#### **5. Capital Projects**

Applicants seeking European Regional Development Fund to support a capital project (i.e. land and/or property) will need to meet Building Research Establishment Environmental Assessment Method or Civil Engineering Environmental Quality Assessment 'Excellent' for new builds and 'Very Good' for refurbishments.

Applicants will need to provide evidence of how they will achieve the rating required (unless otherwise agreed with the Managing Authority).

Applicants will need to demonstrate that they have the rights and permissions to undertake the project and must provide:

1. Proof of current interest in the land and/or property, which includes evidence of the freehold ownership or any lease arrangements that may be in place; and
2. Evidence of the approval of any planning permission, or in certain circumstances a clear statement on the process for securing such consents and any risks to the project.

Royal Institute of British Architects Stage D costs must be supplied with the Full Application and be certified by an independent Quantity Surveyor and Land/Property contributions certified by a Real Estate Valuation expert who are current and chartered members of the Royal Institute of Chartered Surveyors/ Chartered Institute of Builders or equivalent body.

Successful Applicants will be required to provide security to the Managing Authority in the form of a Legal Charge and/or Deed of Covenant over the land and/or property. Applicants will be responsible for registering the charge at their own cost.

## **6. Cross Cutting Themes/Horizontal Principles**

All applications received under this call should demonstrate how the Cross Cutting Themes have been addressed in the project design and development. Cross Cutting Themes for European Regional Development Fund are 'equality and anti-discrimination' and 'sustainable development'. Further information is available in the [European Regional Development Fund Operational Programme](#).

## **7. Additionality, Duplication and Displacement**

Additionality is a core principle of European Regional Development Funding. Applicants must be able to demonstrate that the activity paid for out of European Regional Development Funding adds value to new or existing activity. Projects need to demonstrate that without the support of European Regional Development Funding the activity would not have taken place.

European Regional Development Funding cannot support activities that duplicate existing provision/services within the region.

Applications need to identify and evidence the beneficiaries will use the service and demonstrate that the project does not displace other activity available in the market place.

## **8. State Aid & Revenue Generation**

Applicants are required, in the Outline Application, to provide a view on how their proposal complies with State Aid law. Applicants must ensure that projects comply with the law on State Aid.<sup>1</sup> Grant funding to any economic undertaking which is State Aid can only be awarded if it is compatible aid, in that it complies with the terms of a notified scheme or is covered by the De Minimis Regulation. Guidance for Grant Recipients, explaining more about [State Aid](#), is available; it is important that Applicants take responsibility for understanding the importance of the State Aid rules

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<sup>1</sup> Article 107(1) of the Treaty on the Functioning of the European Union provides that: "Save as otherwise provided in the Treaties, any aid granted by a Member State or through state resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the internal market."

and securing their full compliance with them throughout the project, if it is selected into the Programme.

The Managing Authority is not able to give legal advice on State Aid. It is the responsibility of the Applicant to ensure that the operation is State Aid compliant.

Where the Applicant does not perceive that there is any State Aid, it should state whether or not it considers Articles 61 and 65(8) of regulation 1303/2013 to apply. Article 61 refers to monitoring revenues generated after completion of the project, and Article 65(8) how to deal with differences in the forecast and actual revenues at the end of the operation. This revenue should be taken into account in calculating eligible expenditure. The details of this will be tested at the full application stage.

## **9. Funding Agreement**

The Funding Agreement is a standard, non-negotiable and legally binding document. Any successful Applicant will be subject to the terms and conditions contained within this agreement. Applicants are strongly advised to seek relevant advice to ensure that they would be able to enter into and abide by the terms of the Funding Agreement.

Applicants are advised that additional provisions and securities may be included within the Funding Agreement to protect the investment. Detailed advice will be given if appropriate at the Full Application stage.

Failure to meet any of the conditions of the Funding Agreement or the commitments within the application will result in claw back of the Grant (which may include interest).

## **10. Procurement**

All costs claimed by the Applicant (Grant Recipient and/or Delivery Partner(s)) must be recovered on an actual cost basis. Other costs must be procured in line with National (including [Public Procurement Regulation 2015](#)) and European Union regulations. Procurement will be subject to audit and verification and any irregularity will result in financial penalty of up to 100% of the grant paid. Robust and transparent procurement is required to ensure that Grant Recipients:

- Consider value for money;
- Maximise efficient use of public money; and
- Maintain competitiveness and fairness across the European Union.

It is **strongly recommended** that Applicants seek and follow legal advice in respect of procurement requirements. Procurement irregularities remain the most substantive cause of error and clawback of grant.

## 7. Support

Please note that this is a competitive call and to preserve impartiality we are unable to enter into correspondence with applicants over their Outline Application. Details of where guidance can be found are contained throughout this calls document. In exceptional circumstances, if there are issues with accessing this guidance, please contact: [SW.ERDFenquiries@communities.gsi.gov.uk](mailto:SW.ERDFenquiries@communities.gsi.gov.uk).

## 8. Key Documents

- i. European Regional Development Fund Operational Programme;
- ii. Outline Application Form;
- iii. Outline Application Form Guidance;
- iv. Local Enterprise Partnership area's European Structural and Investment Funds Strategy;
- v. Eligibility Guidance;
- vi. Target Definitions; and
- vii. Funding Agreement (Revenue and/or Capital).

## 9. Document Checklist

Incomplete applications will be rejected. Please ensure the following information (documents) are submitted.

Outline Stage:

- Fully completed Outline Application;
- Financial Tables; and
- Outputs, Results and Indicators Tables.

## 10. Document Submission

Completed Outline Applications must be submitted via **email** to the address in Section 7.

Outline Application forms not received by the deadline will not be assessed. Outline Applications which are not fully completed will be excluded.

For this call applications will normally be required to **commence delivery/activity within three months** of the award of Funding Agreement.

Any changes related to the deadline for the submission of the Outline Application form will be notified on the [European Growth Funding](#) website pages.