



General Conditions

1. Title

The English Aid for Local Infrastructures Scheme (the “Scheme”)

2. Member State

United Kingdom

3. Regions

East Midlands;
Eastern;
London;
North East;
North West;
South East;
South West;
West Midlands; and
Yorkshire and the Humber

4. Organisations permitted to award aid under the Scheme

The Department for Communities and Local Government

5. Legal Basis

Aid under the Scheme may be awarded in accordance with the relevant terms and conditions of the General Block Exemption Regulation 2014-2020 (“GBER”). Each award must comply with the General Conditions of the Scheme and the relevant Specific Condition(s).

6. UK legal authority to award aid

The Department for Communities and Local Government is authorised to award aid under domestic law, including:

- The European Communities Act 1972;
- The Local Government, Planning and Land Act 1980;
- The Leasehold Reform, Housing and Urban Development Act 1993;
- The Local Government Act 2000;
- The Public Contracts Regulations SI 2006 No 5;
- The Local Government Act 2007;
- The Housing and Regeneration Act 2008; and
- The European Communities (Finance) Act 2008

7. Duration

From 1.7.2014 to 31.12.2020

8. Forms of aid

Awards under the Scheme may take the form of

- Grants;

- Loans below the reference rate; and
- Repayable advances.

9. Incentive Effect

All awards under the Scheme must demonstrate the 'incentive effect' in accordance with the requirements of the GBER.

This may involve the submission of documents to the funder prior to the award of funding.

10. Reporting

All awards are conditional upon the recipient providing suitable information to meet GBER reporting requirements set out in the GBER.

11. Cumulation

Aid awarded under the Scheme may only be cumulated with other awards of State Aid where these relate to different eligible costs.

12. Budget

In any calendar year the Scheme shall not be used to provide awards which cumulatively exceed €125 million (around £99m). This sum is provided for State Aid purposes only and does not reflect a committed government budget.

13. Funding

The awards of aid provided under the Scheme may come from EU structural funds and state funds.

All awards of funding must identify the relevant regulation used to award funding, these are listed under specific conditions.

14. Primacy

In the event that any part of this scheme is inconsistent with the GBER, the provisions of GBER shall prevail.

15. Contact

Questions about this scheme should be directed to the State Aid Policy Network, c/o ERDF Policy Unit, The Department for Communities and Local Government, Fry Building, 2 Marsham Street, London, SW1P 4DF.

Specific Conditions

1. Name

Investment Aid for Local Infrastructures

2. Eligible costs

The eligible costs shall be the investment costs in tangible and intangible assets.

3. Aid intensity

Aid Measure	Maximum % aid intensity levels for:			Notification thresholds (€)
	Large Enterprises	Medium Enterprises	Small Enterprises	
<u>GBER Article 56:</u> Investment aid for local infrastructures and <u>GBER Article 4</u>	Aid not provided on an aid intensity basis.			€10 million or the total costs exceeding €20 million for the same infrastructure.

4. Excluded undertakings

See GBER Article 1.

5. Other conditions

Aid Measure	Condition
<u>GBER Article 56, point 2</u>	GBER Article 56 shall not apply to aid for infrastructures that is covered by other sections of Chapter III of the GBER with the exception of Section 1 — Regional aid. GBER Article 56 shall also not apply to airport infrastructure and port infrastructure.
<u>GBER Article 56, point 3</u>	The infrastructure shall be made available to interested users on an open, transparent and non-discriminatory basis. The price charged for the use or the sale of the infrastructure shall correspond to market price.
<u>GBER Article 56, point 4</u>	Any concession or other entrustment to a third party to operate the infrastructure shall be assigned on an open, transparent and non-discriminatory basis, having due regard to the applicable procurement rules.
<u>GBER Article 56, point 6</u>	The aid amount shall not exceed the difference between the eligible costs and the operating profit of the investment. The operating profit shall be deducted from the eligible costs ex ante, on the basis of reasonable projections, or through a claw-back mechanism.
<u>GBER Article 56, point 7</u>	Dedicated infrastructure shall not be exempted under GBER Article 56.