

Mr Andrew Lovegrove  
Chief Finance Officer & S151 Officer  
The County of Herefordshire District Council  
Plough Lane Offices  
Hereford  
HR4 0LE

Shropshire Council  
Shirehall  
Abbey Foregate  
Shrewsbury  
Shropshire SY2 6ND

Date: 13<sup>th</sup> October 2020

My Ref:

Your Ref

Dear Andrew

**Transfer of Getting Building Funds (GBF) for the NMiTE Skylon Park Campus Development GBF Project**

Please find attached at Appendix 1 a copy of the letter dated 18/09/20 from Steven Greenwood, Deputy Director, Cities and Local Growth Unit, Ministry of Housing, Communities and Local Government (MHCLG) confirming to Gill Hamer, the Marches LEP CEO the arrangements for the initial payment of GBF by the Ministry of Housing, Communities and Local Government (MHCLG) to Shropshire Council as the Accountable Body for the Marches LEP ("the Accountable Body").

As you can see in paragraph 3 of Appendix 1 MHCLG have instructed that, for the period 2020/21, the Accountable Body transfer to the County of Herefordshire District Council ("Herefordshire Council") £800,000 for the NMiTE Skylon Park Campus GBF project as soon as practicable. This is to be used explicitly for the NMiTE Skylon Park Campus Development GBF project. Please also note that it is intended that a further £800,000 is to be transferred by the Accountable Body to Herefordshire Council for the NMiTE Skylon Park Campus Development GBF project once the 2021/22 indicative allocation is paid by MHCLG to the Accountable Body. Please note payment of the 2021/22 indicative allocation is subject to assurance that the overall Marches GBF programme is on track at the LEP's Annual Performance (further details on this will follow).

Please also see attached at Appendix 2 a copy of Tony Bray's letter of 14 February 2020 for details of the principles agreed for NMiTE Phase 2 LGF project, which will also apply to this GBF project as outlined in Appendix 1.

It is agreed that the Accountable Body delegates responsibility for managing this grant and the relationship with the applicant (NMiTE) to Herefordshire Council. The amount of £800,000 will be transferred by the Accountable Body to Herefordshire Council as soon as reasonably practicable and in any event within five (5) working days of receipt of a signed Acknowledgement and Acceptance Declaration (as set out at page 3 of this letter) from Herefordshire Council; and in advance of project delivery.

Once the transfer has been effected it will enable the Marches LEP to demonstrate that this element of the 2020/21 GBF capital grant has been defrayed. Please note that the date of eligible spend in relation to this grant is 31 March 2021. Please also note that the acceptance by Herefordshire Council of this award includes acceptance of the associated terms and conditions as outlined in Appendix 1 and Appendix 2.

In consideration of the above, the Accountable Body requires Herefordshire Council to agree to the following conditions:-

1. From 2 November 2020 and thereafter on a quarterly basis Herefordshire Council will send to the Accountable Body the information as outlined in Appendix 3. This information will allow the Accountable Body to report to the Marches LEP Board and MHCLG on the overall performance of the Marches GDF programme;
2. That Herefordshire Council operates according to the Government's National Local Growth Assurance Framework in all matters where it is acting as the local accountable body for the project;
3. That Herefordshire Council agrees in principle that if the project delivery needs to extend beyond FY 2020/21, then Herefordshire Council can use its capital spend freedoms and flexibilities to achieve this. Herefordshire Council should notify any resultant alterations to project milestones to the Marches LEP as soon as the new milestones are agreed with NMiTE.

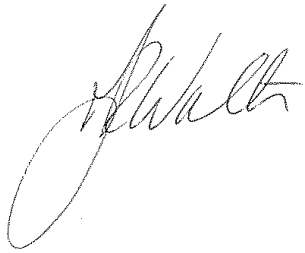
The Accountable Body confirms that neither it nor The Marches LEP will seek to clawback funding on the basis that any project failure is for Herefordshire Council to manage and remedy locally and on the basis that MHCLG looks to:

- (i) the performance of the whole GBF programme and not individual projects; and
- (ii) the degree to which partners have recognised risks and put in place appropriate mitigation.

The information contained in this letter and the attached documents should be brought to the attention of all relevant staff in Herefordshire Council. As the Council's s151 Officer, you are required to sign and return the Acknowledgement and Acceptance Declaration below as evidence of Herefordshire Council's acceptance of the terms and conditions under which this grant will be awarded.

If you have any queries about the contents of this letter or the attached grant terms and conditions, please contact me by phone on 01743 25 8915 or email [james.walton@shropshire.gov.uk](mailto:james.walton@shropshire.gov.uk)

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Walton', with a large, stylized loop at the end.

James Walton  
Director of Finance, Governance and Assurance (Section 151 Officer)  
for Accountable Body

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## ACKNOWLEDGMENT AND ACCEPTANCE DECLARATION

### Herefordshire Council – NMITE Skylon Park Campus GBF project

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

SIGNED (s151 OFFICER).....

PLEASE PRINT NAME.....

DATE.....

Please sign and return to James Walton at the address shown above.

## **Appendix 1**

**MHCLG letter of 18/09/20**

**Appendix 2**  
**T Bray letter of 14/02/2020**

## Appendix 3

### Project Information Requirements

**Table 1 - Deliverables.**

<b>NMITE Skylon Park Campus Development GBF Deliverables</b>	<b>Total</b>
Jobs Created	26
Additional Construction Jobs	100
Number of businesses or institutions assisted	250
Area of new or improved learning/training floorspace	2,500
Number of new learners assisted	200
Capital Match Funding (£)	£480,000

**Table 2 - Timescales for Reporting to Shropshire Council's Section 151 Officer:**

<b>Financial Year</b>	<b>Quarter 1</b>	<b>Quarter 2</b>	<b>Quarter 3</b>	<b>Quarter 4</b>
2020/21		02/11/2020	01/02/2021	03/05/2021
2021/22	02/08/2021	01/11/2021	01/02/2022	02/05/2022
2022/23	01/08/2022	01/11/2022	01/02/2023	01/05/2023
2023/24	01/08/2023	01/11/2023	01/02/2024	01/05/2024
2024/25	01/08/2024	04/11/2024	03/02/2025	05/05/2025

The table above sets out the reporting deadlines for Herefordshire Council to submit certification reports (signed by the Section 151 Officer) confirming progress against:

1. GBF spend allocation of £800,000 – Financial Year 2020/21.
2. Achievement of Deliverables (as set out in Table 1) – In line with NMiTE Skylon Park Campus Development GBF Business Case submission.