

MONDAY, 14 OCTOBER 2024

**TO: THE CABINET MEMBER FOR REGENERATION, LEISURE,
CULTURE AND TOURISM**

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE
**CABINET MEMBER FOR REGENERATION, LEISURE,
CULTURE AND TOURISM** WHICH WILL BE HELD IN
**COMMITTEE ROOM 3, GROUND FLOOR - COUNTY HALL,
CARMARTHEN. SA31 1JP AND REMOTELY, AT 10.00 AM, ON
MONDAY, 21ST OCTOBER, 2024** FOR THE TRANSACTION OF
THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Julie Owens
Telephone (direct line):	01267 224088
E-Mail:	juowens@carmarthenshire.gov.uk

Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

A G E N D A

- 1. DECLARATIONS OF PERSONAL INTEREST**
- 2. TO SIGN AS A CORRECT RECORD THE DECISION RECORD
OF THE MEETING HELD ON THE 23RD SEPTEMBER 2024** 3 - 6
- 3. CARMARTHEN RURAL ENTERPRISE FUND - CREF** 7 - 32

Note:- The press and public are not entitled to attend the meeting. The decision record will be published normally within 3 working days.

CABINET MEMBER FOR REGENERATION, LEISURE, CULTURE AND TOURISM

MONDAY, 23 SEPTEMBER 2024

PRESENT: Councillor: H.A.L. Evans (Cabinet Member).

The following officers were in attendance:

M. Bull, Economic Development Funding & Business Manager;
H. Barrett, Project & Funding Co-ordinator;
B. Hale, Economic Development Coordinator;
M. E. Pemberton, Rural Programme Co-ordinator;
C. Owen, Bureau Officer;
J. Owen, Democratic Services Officer.

Committee Room 1, County Hall, Carmarthen, SA31 1JP: 12:00pm - 12:35pm

1. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

2. TO SIGN AS A CORRECT RECORD THE DECISION RECORD OF THE MEETING HELD ON THE 29TH JULY 2024

RESOLVED that the decision record of the meeting held on the 29th July 2024 be signed as a correct record.

3. TEN TOWNS PROGRAMME (REVENUE FUND)

The Cabinet Member considered an application submitted as part of the Ten Towns revenue fund.

RESOLVED that the following application for assistance from the 10 Towns Revenue Fund be approved subject to the usual terms and conditions and those specified in the report:

Applicant	Project	Award
Laugharne Memorial Hall	Laugharne Memorial Hall	£20,000

4. TARGETED FINANCE FUND APPLICATIONS

RESOLVED that the following applications for assistance from the Targeted Finance Fund be approved subject to the usual terms and conditions and those specified in the report:

Targeted Finance Fund	
Applicant	Award
TFF-24-01 – St Clears Town Trust	£18,212
TFF-24-02 – Pencader Family Centre	£18,800
TFF-24-03 – CYCA	£20,000
TFF-24-04 – Ynni Sir Gâr	£20,000
	£77,012

5. REPORTS NOT FOR PUBLICATION

RESOLVED pursuant to The Local Government Act 1972 as amended by The Local Government (Access to Information) (Variation) (Wales) Order 2007 that the following items were not for publication as the reports contained exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Act.

6. SHARED PROSPERITY FUND - BUSINESS START UP & GROWTH FUND

Following the application of the public interest test it was **RESOLVED**, pursuant to the Act referred to in minute no. 5 above, not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act).

The public interest test in this matter related to the fact that the report contained detailed information about the business and financial affairs and ambitions of the applicant. In this case, the public interest in maintaining transparency and accountability is outweighed by the public interest in maintaining confidentiality, as disclosure would be likely to place persons and business named in the report at an unfair disadvantage in relation to their commercial competitors.

The Cabinet Member considered project applications received from businesses seeking assistance from the Shared Prosperity Fund – Business Start-up and Growth Fund, the aim of which was to support businesses in Carmarthenshire to start, sustain, grow and create jobs.

RESOLVED that the project applications submitted seeking assistance from the Shared Prosperity Fund – Business Start Up & Growth Fund be approved, as per the recommendations set out within the report.

7. TOWN CENTRE LOAN SCHEME

Following the application of the public interest test it was **RESOLVED**, pursuant to the Act referred to in minute no. 5 above, not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act).

The public interest test in this matter related to the fact that the report contained detailed information about the business and financial affairs and ambitions of the applicants. In this case the public interest in maintaining the exemption under the 1972 Act in respect of this report outweighs the public interest in disclosing the information therein, as disclosure would be likely to place the business named in the report at an unfair disadvantage in relation to their commercial competitors.

The Cabinet Member considered a loan request application to the Town Centre Loan Scheme.

RESOLVED that the loan application to the Town Centre Loan Scheme be approved subject to the usual terms and conditions and those specified in the report.

8. CARMARTHENSHIRE COMMERCIAL PROPERTY DEVELOPMENT FUND

Following the application of the public interest test it was **RESOLVED**, pursuant to the Act referred to in minute no. 5 above, not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act).

The public interest test in this matter related to the fact that the report contained detailed information about the business and financial affairs and ambitions of the applicants. In this case the public interest in maintaining the exemption under the 1972 Act in respect of this report outweighs the public interest in disclosing the information therein, as disclosure would be likely to place the business named in the report at an unfair disadvantage in relation to their commercial competitors.

The Cabinet Member received for consideration an application to receive support from the Carmarthenshire Commercial Property Development Fund. In noting the background of the application, the Cabinet Member was provided with an update in regard to planning conditions that had been received following the publication of the agenda.

RESOLVED to defer the consideration of the application until the planning permission condition had been discharged.

CABINET MEMBER

DATE

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CABINET MEMBER: REGENERATION, LEISURE, CULTURE & TOURISM 21ST OCTOBER 2024

Cabinet Member:	Portfolio:	
Cllr. Hazel Evans	Regeneration, Leisure, Culture & Tourism	
 CARMARTHEN RURAL ENTERPRISE FUND – CREF 		
Recommendations / key decisions required:		
To agree the following changes to the Carmarthenshire Rural Enterprise Fund		
<ul style="list-style-type: none"> i) Increase the amount of grant per FTE job created from £20,000 to £30,000. ii) Increase the intervention rate from 45%-50%. iii) To award future funding under the MFA subsidy scheme. iv) Increase the maximum grant available from £200,000 to £240,000. v) The grant will now be made available to businesses county wide. vi) To rebrand the scheme as Carmarthenshire Enterprise Fund – CEF. 		
Reasons:		
To enable viable owner occupier capital build projects to be brought forward across Carmarthenshire that will result in business growth and creation of jobs. The changes will ensure that the grant is more accessible for a wider range of businesses who for a variety of reasons have previously been unable access the funding.		
Directorate Name of Head of Service: Simon Davies	Designation Head of Economic Development and Property	Tel No: 01267 242336 sidavies@carmarthenshire.gov.uk
Report Author: Mike A Bull	Economic Development Funding & Business Manager	Tel No: 01267 242393 MABull@carmarthenshire.gov.uk

Declaration of Personal Interest (if any):

N/A

Dispensation Granted to Make Decision (if any):

N/A

DECISION MADE:

Signed:

DATE: _____

CABINET MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer's recommendation was not adopted:	

EXECUTIVE SUMMARY
CABINET MEMBER: REGENERATION, LEISURE, CULTURE & TOURISM
21ST OCTOBER 2024

CARMARTHESHIRE RURAL ENTERPRISE FUND

BRIEF SUMMARY OF PURPOSE OF REPORT.

Since its launch in 2016 the Carmarthenshire Rural Enterprise Fund has supported 25 Rural businesses to deliver 90,000 sq ft of additional or improved employment space, has created 151 jobs, and resulted in an investment of £5.5m into the Rural Carmarthenshire economy.

Currently the funding is open to business owners based in Rural Wards of the County to provide new or improved employment space where jobs are to be created within 3 years of completion of the build. The maximum grant is £200k and grant is based on a maximum of 45% of eligible project cost or £20k per job to be created, whichever is the lesser figure. The existing fund is operated under the Welsh Local Government Association legacy subsidy control scheme which limits interventions to 45% of eligible project cost.

Having relaunched the fund in August 2023 the project team have over the last twelve months been monitoring the scheme to both identify barriers to applicants who having expressed an interest in moving forward with an application but have then subsequently withdrawn from the process and to barriers to applicants who are ruled out of the process due to ineligibility.

Those barriers include:

- Intervention rate being lower than gap between cost of construction and end value of building.
- Increase in cost of construction and limitations of the fund criteria.
 - Maximum grant of £200k
 - £20k per job figure
- The schemes eligible boundary restrictions excluding interested applicants who fall outside eligible area but don't have any alternative suitable funding option.

The recommendation below sets out some proposed additional changes to the funding criteria of the scheme to ensure that the fund is current and that it can provide appropriate support to Carmarthenshire's businesses.

Recommendation:

To agree the following changes to the Carmarthenshire Rural Enterprise Fund

- i) Increase the amount of grant per FTE job created from £20,000 to £30,000.
- ii) Increase the intervention rate from 45%-50%.
- iii) To award future funding under the MFA subsidy scheme to enable increase in intervention rate to 50%
- iv) Increase the maximum grant available from £200,000 to £240,000.
- v) The grant will now be made available to businesses county wide.
- vi) To rebrand the scheme as Carmarthenshire Enterprise Fund – CEF.

**DETAILED REPORT
ATTACHED ?**

NO



IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report:

Signed: Simon Davies Head of Economic Development and Property.

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
YES	YES	YES	NONE	NONE	NONE	NONE

Policy, Crime & Disorder and Equalities

The Carmarthenshire Enterprise Fund is aligned with the South West Wales Economic Development Strategy, Council's Vision Statement and Carmarthenshire's Economic Recovery Plan. The Fund will provide much needed support to businesses in Carmarthenshire to enable them to bring forward capital projects that will stimulate economic growth and create employment opportunities.

Legal

Assistance will be required from the legal team in respect legal charges linked to any future awards.

Finance

The funding will come from the Carmarthenshire Rural Enterprise Fund Capital budget Allocation

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Simon Davies

Head of Economic Development and Property

1. Scrutiny Committee – N/A

2. Local Member(s) N/A

3. Community / Town Council N/A

4. Relevant Partners N/A

5. Staff Side Representatives and other Organisations N/A

Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

Revised CEF Guidance Notes

Title of Document	File Ref No.	Locations that the papers are available for public inspection
CEF Guidance Notes	CEF02	Online on Council File Plan

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Carmarthenshire Enterprise Fund (CEF)

Guidelines for Applicants



Grant aid to support private & third sector enterprises to develop new and existing business premises in Carmarthenshire.

Carmarthenshire Enterprise Fund - Grant Guidelines

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Carmarthenshire Enterprise Fund - Grant Guidelines

1. Introduction

- 1.1 Carmarthenshire County Council (the County Council) has made available funds to provide grant aid for capital projects for the county's enterprises. The Grant will provide assistance to enterprises and sole traders for the development of new and existing business premises, where new jobs are created as a result of the project.
- 1.2 The programme has a fixed budget and accordingly the scheme is based on a "challenge" principle. Priority will be given to applications that will provide tangible benefits to the local economy in terms of quantity and quality of direct jobs created in key sectors.
- 1.3 This scheme is covered by the current UK Government Subsidy Control Act (2022). The total amount of Minimum Financial Assistance (MFA) received over a rolling period of three fiscal years should not exceed £315,000 per business*. If you have received any other financial assistance in the past 3 financial years it is the responsibility of the applicant to monitor the level of MFA received; you will be asked to declare that this has not been exceeded in the event of an offer being made. [* The MFA financial threshold applies at company group level.]

2. Eligible Areas / Applications

- 2.1 An enterprise with a capital building project based in Carmarthenshire are eligible to apply for this grant.
- 2.2 All applicants must be economically and financially viable.
- 2.3 Grants for works to property will be available to owners of the freehold interest in the property, or to lessees holding a lease that has a **minimum of seven years** remaining at the anticipated time of final payment of grant.

Leaseholders will have to secure their landlord's written consent to the proposed works.

- 2.4 If the freehold title of the property is **not in the name of the applicant' Ltd company\company name**, they must enter into a lease with those who are named on the freehold title; **even if the title owner and applicant business are owned by the same person**. If the applicant is a sole trader and the freehold of the property is in the name of the sole trader then a lease will not be required and Carmarthenshire County Council, subject to award of grant, will place a charge on the existing freehold title.

- 2.5 It is the responsibility of the leaseholder to register the lease with the Land Registry. Subject to grant funding being awarded Carmarthenshire County Council will then place a charge against the leasehold title. **No grant payment will be released until the registration with the land registry is complete. We can assist all applicants to expediate this process.**
- 2.6 Applicants who have outstanding Business Rates/Council Tax debts with Carmarthenshire County Council will be ineligible to apply for funding until a time such debts have been settled in full.

3. Ineligible Works

These include:-

- Refurbishment where the use of a building will not be changed.
- General routine repair and maintenance works.
- Works relating to health and safety requirements/statutory regulations.
- Acquisition of property.
- Soft landscaping.
- Works which have already commenced.
- Equipment purchase

Ineligible Sectors:

- primary agriculture production, forestry, aquaculture, fishing, and statutory services, e.g., education and primary healthcare.

The Funding must not be used for:

- Party political purposes.
- Promotion of particular secular, religious or political view
- Offering sexual services
- Any kind of illegal activity; or any kind of activity which in the opinion of Carmarthenshire County Council could bring the Council and/or UK Government into disrepute
- Gambling.
- Pornography
- Offering sexual services.
- Any kind of illegal activity; or any kind of activity which in the opinion of Carmarthenshire County Council could bring the Council and/or UK Government into disrepute

4. The Levels of Grant

The grant will be either based on £30,000 per full time job created (two part time jobs are considered as one full time equivalent (FTE)) or up to the following intervention rates, whichever is the lesser figure: -

Threshold	Company Size
50%	All enterprises

The maximum grant is £240,000.

Updated October 2024

5. Application Process

The procedure will consist of a two-stage application process.

- 5.1 The stage 1 application form is available by requesting a copy via email to Economicdevelopment@carmarthenshire.gov.uk. An officer will be in touch to ask for more information about your proposed project and a site visit may be requested at this stage.
- 5.2 Upon submission of your stage 1 application, the grants panel will then assess and consider all applications and will inform applicants as to whether they have been successful at stage 1.
- 5.3 If successful the applicant will then have **9 months** to submit a more detailed Stage 2 application form accompanied by: -
 - An A4 size or OS map extract of sufficient scale to clearly identify the exact location of the property concerned.
 - A current schedule of condition/structural survey of the property prepared by a professionally qualified surveyor or architect may be required, depending on the nature of the project.
 - Scaled drawings showing the existing building and the proposed works together with a detailed specification of the works. These should be prepared by a suitably professionally qualified architect / quantity surveyor.
 - Where applicable copies of all relevant statutory consents. Please note should planning be required for your project, your application will need to have been submitted in line with your stage 2 application.
 - A statement showing the proportion of the fees that are attributed to the works and the name, and qualifications of any professional consultant employed by the applicant.
 - A programme of works and forecast cost expenditure.
 - Latest accounts or in the case of a new business an income and expenditure forecast for the next 12 months.
 - Proof of land ownership or copy of lease together with landowners' consent if applicable.
 - Proof of match funding.
 - Detailed business plan clearly showing how the project will proceed, to include 3 years cashflow projections. Assistance may be available with this, please contact Business Wales [Get Support | Business Wales \(gov.wales\)](https://www.gov.wales)

- Detailed job descriptions for all jobs that will be created as a result of this grant.
 - Quotations / tenders from suitably qualified professionals for the design, supervision and certification of proposed work
 - Quotes / tenders for construction work.
 - Tender report from applicants Quantity Surveyor.
- 5.4 The grants panel and Council's Cabinet Member will then assess and consider the individual stage 2 applications. The applicant will be advised of the decision. **No appeals will be considered.**
- 5.5 If successful the applicant will receive a formal offer letter in duplicate with terms and conditions which they must sign both copies and return one copy together with a schedule of works and grant drawdown forecast.
- 5.6 To claim an interim grant payment a successful applicant must complete, sign (applicant only) and return an interim claim form together with a quantity surveyor or architects' interim valuation certificate, invoice from the contractor and proof of payment.
- 5.7 To claim a final grant payment a successful applicant must complete, sign (applicant only) and return a final claim form together with a quantity surveyor or architects' practical completion certificate, all original project invoices and proof of payment. If the eligible works expenditure is lower than anticipated in the grant offer, the grant will be reduced on a pro rata basis.

6. Definitions

Enterprise – any entity engaged in an economic activity, irrespective of its legal form. This includes self-employed persons and partnerships, Limited Companies or associations regularly involved in an economic activity.

Direct job - A permanent FTE job (30hrs+) or PT job (16hrs+) which can be counted and monitored as part of the project e.g. one that is created as a result of support to that business.

7. Assessment Criteria

7.1 Applicants will be considered on a first come first serve basis. Applications will be assessed against the projects priority criteria as follows:

- Number and quality of FTE jobs created.
- Number of buildings / floor area improved / developed.
- Value for money – based on the percentage of grant requested in relation to the economic benefits.

- Impact on Welsh Language
- Impact on South West Wales Economic Development Strategy, Council's Vision Statement and Carmarthenshire's Economic Recovery Plan.

8. The Grant

- 8.1 The grant can only be offered in those cases where the Council is satisfied that without such aid the project will not proceed, either on the scale envisaged or within a reasonable time frame.
- 8.2 The amount of the grant offered to each project will be determined by the County Council and will be based on the lowest tendered cost of the approved works which are considered eligible for grant aid.
- 8.3 The amount of grant specified in the grant offer letter is the **maximum** County Council contribution towards the project. In the event of there being any reductions in the cost of the approved works, the County Council will make a pro-rata reduction to the amount of grant originally offered.
- 8.4 Grant will normally be awarded exclusive of VAT. If the applicant cannot recover VAT this may be accepted as an eligible cost at the discretion of the County Council, subject to the applicant undertaking to repay to the County Council any VAT element which later becomes reclaimable from HM Customs and Excise as a result of a change in the applicant's VAT status.

9. Contract implementation professional fees

- 9.1 Grant recipients **must** employ an appropriately qualified professional to assess tenders, supervise project works and provide certificates for completed works. This cost may be included in the qualifying expenditure for grant assistance up to a limit of 15% of the total construction cost provided that it has been accounted for in the application form and the County Council's specific written agreement has been sought prior to the engagement of consultants. **The professional consultant must hold a qualification appropriate to the nature of the works proposed.**
- 9.2 Applicants should provide quotations/ tenders (in line with procurement guidelines as set out in section 12 below) from suitable qualified professionals for the design, supervision and certification of proposed works.

10. Application for grant

In making an application for grant, the applicant will warrant to the County Council that all information provided in connection with and accompanying both application forms is and remains true and accurate in all respects and that any estimates and anticipated forecast outputs or other facts were made after due and careful research and investigation. The warranty will be deemed to be given again at the time the applicant submits the grant claim form. **Please note that the applicant - and not any appointed agent acting for the applicant - must sign the application form.**

11. Land Registry

A legal charge will need to be placed on the title deeds of the property and registered with the Land Registry for a minimum of seven years from the date of final grant payment. The applicant is responsible for arranging this and any associated costs. **Please note that no grant funding will be released until the registration is complete.** After this period the applicant will also be responsible for pursuing its removal and any costs associated with this process.

12. Procurement

When making a purchase or paying for a service, applicants should aim to get value for money whilst offering a range of businesses the opportunity to provide those goods or services in a fair and transparent manner.

The applicant must therefore ensure that the following procurement procedures are adopted according to the estimated value (exc. of VAT) of the contract at quotation/pre-tender stage. Your decision must demonstrate best value and you must keep records which supports your decision.

Failure to fully comply with the procurement thresholds will render the costs ineligible for assistance under this fund.

Please refer to Annex 1 for the rules

13. Avoiding conflicts of interest

It is possible that project applicants, or persons connected with them (such as relatives, business partners or friends) may wish to tender for a contract being offered by the project applicant. **This is not unacceptable**, but the applicant will need to make sure that they conduct the transaction as openly and as transparently as possible. If the applicant or any person connected with them, has an interest in any of the potential bids for a contract offered:-

- the applicant is required to declare any interest prior to the issue of tender documentation;
- a list of proposed tenderers is provided to Carmarthenshire County Council for consideration prior to issue of tender documentation;
- tenders should be returned directly to Carmarthenshire County Council either via email or by post.
- the applicant should not be involved in the issue, opening or recording of those tenders.
- The process should be managed by an architect or quantity surveyor on behalf of the applicant.
- the applicant should consider how its procurement guidelines should be applied to ensure not only that the procedure is fair to all bidders but can be seen to be so also;
- every stage in the procedure should be recorded formally and the records retained on file and be made available for inspection.

14. Statutory Consents

Stage 2 applications must not be submitted until all required statutory consents (e.g. Planning Permission, Listed Building Consent, Building Regulation Approval have been applied for. A project without full approved consent may be considered at Stage 2 of the application process subject to status and any award of grant will be conditional on securing the required consent.

15. Insurance

For a period of five years from the grant award date, the applicant must comprehensively insure the property with a reputable insurance company and, if requested, provide the County Council with evidence of such insurance.

16. Repair and condition

For a period of 5 years from the grant payment date the applicant is required to keep the property in a good and substantial state of repair and condition.

17. Repayment of grant

Funding shall be withheld and/or, insofar as payment has been made, the grant recipient shall repay funding either in whole or in part, including if:

- a domestic check by the Authority, the National Audit Office, Wales Audit Office, or any of their representatives, identifies circumstances whereby a full or partial repayment of funding is due, or, if the Authority otherwise requires the funding to be withheld, reduced, cancelled or recovered;
- there has been an overpayment of funding;
- the applicant is found to have made any misrepresentation in connection with the application;
- the applicant has breached the provision of terms and conditions of grant;
- the property is not fully re-instated within 12 months of any occurrence giving rise to loss of or damage to the property;
- during its economic life, the project undergoes substantial change defined as being used for purposes other than those specified in the application, or, having a change of owner without notifying Carmarthenshire County Council. The economic life is the period of final payment of the grant.

18. Disposal of assets

- 18.1 The applicant must secure the County Council's written consent to any disposal of the property within 5 years of the final payment of grant.
- 18.2 The County Council will seek to register an interest in the grant aided property with the Land Registry by legal charge. This process will alert the County Council to any change in the ownership or lease of the property. The Council will wish to ensure that no changes are made to the grant aided work and will not unreasonably withhold any consent but may require that the grant be repaid in part or in whole.

The Council will not unreasonably withhold such consent but may require that the grant to be repaid in part in line with the following:

Date of disposal of asset(s)	Amount to be repaid
Within 1 year	Funding to be repaid in full
Within 2 years	80% of funding to be repaid
Within 3 years	60% of funding to be repaid
Within 4 years	40% of funding to be repaid
Within 5 years	20% of funding to be repaid
After 5 years	No funding to be repaid

The above are minimum repayment requirements

19. Monitoring

- 19.1 The applicant must retain any original invoice, account or other document (including serial numbers of goods purchased) relating to your approved project for ten years from the date of the final grant payment.
- 19.2 Carmarthenshire County Council have the right to audit the activities of the grant on approved projects at all levels of delivery, on an appropriate sampling basis and will be, as far as possible, carried out before the final payment is made for a project but may occur after project completion.
- 19.3 Upon giving reasonable notice, the County Council reserves the right to inspect the property/works or approved project at any time between receipt of a grant application and the expiration of 5 years from the final grant payment date. The County Council may appoint such professionals as it sees fit to undertake such inspection on its behalf.
- 19.4 This grant fund is awarded under UK Subsidy Control Rules, and the County Council therefore require you to advise us of any public funding you have received any period of 3 consecutive fiscal years immediately preceding your application.

20. Other issues relating to the application for grant

20.1 Welsh Language Standards (Welsh Language (Wales) Measure 2011)

The Welsh Language Standards Compliance Notice places a statutory requirement on Carmarthenshire County Council to ensure that all grants it awards has a positive effect on opportunities for persons to use Welsh, and the Welsh language is not treated less favourably than English.

<https://www.carmarthenshire.gov.wales/media/1223639/the-welsh-language-in-business.pdf>

Some examples of provision in accordance with the Standards can be found in Annex 2.

Applicants will be expected to set out their commitments to the Welsh language in their answer the questions on the application form and, once agreed with the grant officer, they will be included as terms and conditions for the successful applicant.

Applicants will need to outline the ways in which the scheme encourages the development of the Welsh Language and retain local workforce.

All signage erected as part of the project will be required to be bilingual.

20.2 Please be advised that you will need to comply with the Health & Safety at Work Act and Construction, Design & Management Regulations.

21. Asbestos

21.1 If asbestos is found within the building, which is the subject of a grant and it is evident at the outset then it may be possible for the applicant to include these costs within the overall project cost. If this is only established after a grant award then it will be the responsibility of the applicant to meet any costs associated with its safe removal and disposal from site.

22. General Data Protection Regulation (GDPR)

22.1 To find out more about how we use your information, please contact Hawys Barrett (HBarrett@carmarthenshire.gov.uk) to obtain our Privacy Notice, or visit our website www.carmarthenshire.gov.wales

23. Subsidy Control Rules

23.1 This scheme is covered by the current UK Government Subsidy Control Act (2022). The total amount of Minimum Financial Assistance (MFA) received over a rolling period of three fiscal years should not exceed £315,000 per business*. If you have received any other financial assistance in the past 3 financial years it is the responsibility of the applicant to monitor the level of MFA received; you will be asked to declare that this has not been exceeded in the event of an offer being made. [* The MFA financial threshold applies at company group level.]

24. Contact details

24.1 For further details on the grant scheme, please telephone Hawys Barrett 07815591440

25. Submission of applications

25.1 Stage 2 applications should be sent to the following address:-

EconomicDevelopment@Carmarthenshire.gov.uk

Annex 1 - Third Party Grant Procurement Rules

Requirement	Value	Procurement Process
All	up to £4,999	<p>A minimum of 1 written Quotation <u>must</u> be obtained and retained. Best value for money must be obtained and reasonable care must be taken to obtain goods, works or services of adequate quality at a competitive price. A documented record to support the decision must be retained for audit purposes.</p> <p>Applicants are requested to 'Think Carmarthenshire First' when seeking quotations for the purchase of Goods/Services. Please therefore, explore the marketplace to establish if there are any businesses within Carmarthenshire that can provide the goods / service that you are seeking to purchase. Applicants may be required to demonstrate such quotations have been sought</p>
All	£5,000 and £24,999	<p>A minimum of 3 written Quotations <u>must</u> be sought from competitive sources*. The quotes must be based on the same specification and evaluated on a like for like basis.</p> <p>A documented record of the quotes sought, the evaluation process and the decision to award must be recorded.</p> <p>Applicants are requested to 'Think Carmarthenshire First' when seeking quotations for the purchase of Goods/Services. Please therefore, explore the marketplace to establish if there are any businesses within Carmarthenshire that can provide the goods / service that you are seeking to purchase. Applicants may be required to demonstrate such quotations have been sought</p>
All	£25,000 and £74,999	<p>A minimum of 3 written Quotations <u>must</u> be sought from competitive sources*. The quotes must be based on:</p> <ul style="list-style-type: none"> • the same specification, • the same evaluation criteria and evaluated on a like for like basis. It is best practice to establish an evaluation panel. • the same closing date. <p>A documented record of the quotes sought, the evaluation process and the decision to award must be recorded for audit purposes.</p> <p>**In the event that only one quotation is received, you must contact the Project Manager from Carmarthenshire County Council (CCC) to provide details and justification of the procurement process you have undertaken. The decision to proceed to purchase must be approved by CCC on a case by case basis. In circumstances where it is evident that more than one quotation could be sought, there may be a requirement to advertise via Sell2Wales.</p>

NB – Spend thresholds of £75,000 and under are exclusive of VAT

Goods and Services	£75,000 and £213,477	<p>A minimum of 4 tenders <u>must</u> be sought from competitive sources*, with a minimum of 2 tenders to be received**.</p> <p>All those tendering must be provided with the same information: the same specification of requirements,</p> <ul style="list-style-type: none"> • an outline of the evaluation criteria against which the contract will be awarded and • the same closing date for receipt of tenders, after which no submissions will be accepted. <p>The evaluation process you follow must be consistent with the original evaluation criteria outlined and an evaluation report produced detailing on what basis the successful tender was awarded. It is best practice to establish an evaluation panel to evaluate tenders.</p> <p>** In the event that only one tender is received, you must contact the Project Manager from Carmarthenshire County Council (CCC) to provide details and justification of the procurement process you have undertaken. The decision to proceed to purchase must be approved by CCC on a case by case basis. In circumstances where it is evident that more than one tender could be sought, there <u>may</u> be a requirement to advertise via Sell2Wales.</p>
Works	£75,000 and £5,336,937	<p>A minimum of 4 tenders <u>must</u> be sought from competitive sources*, with a minimum of 3 tenders to be received**.</p> <p>All those tendering must be provided with the same information:</p> <ul style="list-style-type: none"> • the same a specification of requirements, • an outline of the evaluation criteria against which the contract will be awarded and • the same closing date for receipt of tenders, after which no submissions will be accepted. <p>The evaluation process you follow must be consistent with the original evaluation criteria outlined and an evaluation report produced detailing on what basis the successful tender was awarded. It is best practice to establish an evaluation panel to evaluate tenders.</p> <p>** In the event that only one tender is received, you must contact the Project Manager from Carmarthenshire County Council (CCC) to provide details and justification of the procurement process you have undertaken. The decision to proceed to purchase must be approved by CCC on a case by case basis. In circumstances where it is evident that more than one tender could be sought, there <u>may</u> be a requirement to advertise via Sell2Wales.</p> <p>For contracts in excess of £250k in value:</p> <ul style="list-style-type: none"> • In selecting contractors for the tender list, it is recommended that the appropriate due diligence and financial checks are undertaken on these parties. • As a minimum, due diligence and financial checks must be undertaken on the preferred contractor following the evaluation and prior to contract award.
<p>NB - spend thresholds for Goods / Services under £213,477 and works under £5,336,937 are exclusive of VAT</p>		

Goods and Services	Above £213,477*	If a contract for Goods or Services is likely to exceed £213,477 the applicant must inform the project manager to determine whether the contract will be subject to World Trade Organisation's Agreement on Government Procurement (GPA).
Works	Above £5,336,937*	If a contract for Works is likely to exceed £5,336,937 the applicant must inform the project manager to determine whether the contract will be subject to World Trade Organisation's Agreement on Government Procurement (GPA).
*When calculating the estimated value of the contract in order to determine whether the full UK regulations apply, the contract value estimation (for these values only – not below) must be <u>inclusive</u> of VAT as of the 1 January 2022. This is as a result of the UK's independent membership of the GPA (Government Procurement Agreement).		

Important Guidance

Advertising via Sell2Wales

* It is possible for you to advertise on the National Procurement website, www.Sell2Wales.co.uk if you are in a situation where you have difficulty in identifying the minimum number of suppliers required and/or would like to vary or attract new suppliers to quote or tender. Advertising via Sell2Wales is best practice, however you may feel that you are better able to identify potential suppliers who could provide the best overall offer. This facility is available to you free of charge, please visit the Sell2Wales website <http://www.sell2wales.gov.uk/> and contact the website helpline on 0800 222 9004 for further information.

Seeking Quotations/Tenders

For spend above £5,000 it is essential that the quotes/tenders are sought from appropriate suppliers for the goods, works or services required. In circumstances where it is evident that unsuitable quotes/tenders have been sought, there may be a requirement to advertise via Sell2Wales.

Other Funders

If a project involves any other or additional funding streams, these Third-Party Grant Procurement Rules must be followed as a minimum for the total estimated spend of the requirement.

Avoiding conflicts of interest

We recognise that it is possible that applicants / developers or persons connected with them (such as relatives, business partners or friends) may wish to tender for a contract being offered by the applicant / developer. This is acceptable, but applicants will need to ensure that the tendering process is undertaken in an open, transparent and fair manner, as outlined above, which does not give one person or company tendering any advantage over another, which arises from the process. Appropriate measures to prevent identify and remedy any conflicts of interest must be carried out.

If an applicant / developer or any person connected with them directly or indirectly, has a financial, economic, political, or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure:

- that applicant / developer, or any other person or party with an interest must declare that interest in writing to the Project officer who will offer advice accordingly.

- specifications and evaluation criteria must not be biased or tailored to favour one solution or any one party over another.
- that person or party with an interest should take no part whatsoever in any of the tender evaluation procedures to ensure that the process is fair to all. It is acknowledged that the grant applicant may be required to provide the final approval
- every stage of the procedure must be recorded formally.
- If the contract would normally be subject to a single tender procedure, it is recommended that the sponsor should seek written quotes from at least two other suppliers (i.e. following the procedure set out above for contracts between £5000 and £25,000)

The purpose of these guidelines is to ensure that there is fairness in the spending of public money and that the integrity of the applicant is not compromised.

Changes to the specification or contract

If any changes are required to the specification after seeking quotes/tenders which affects the original scope of the requirement, a new procurement exercise may need to be undertaken to ensure that best value for money has been achieved. This may occur where there are unforeseen additions to the original requirement, where tenders are received in excess of the available budget, where funding levels change etc. The grant applicant must inform the Project officer who will offer advice accordingly.

- **Failure to observe the relevant procedures outlined above will be considered non-compliant and may lead to a withdrawal of the grant offer and potential claw-back of funding.**
- **In cases where you are unable to satisfy the requirements of these procedures you must always inform the project manager.**
- **If you have any queries as to how these procedures should be applied, you should contact the project manager for clarification and further guidance.**

Do's and Don'ts of Tendering

Do's	Don'ts
<ul style="list-style-type: none"> • ensure that any potential conflicts of interest are declared at the earliest opportunity. 	<ul style="list-style-type: none"> • Don't skew the specification to eliminate or to discriminate against suppliers i.e. limit the specification to a specific brand.
<ul style="list-style-type: none"> • comply with the appropriate rules 	<ul style="list-style-type: none"> • Don't change the scope of the specification once distributed.
<ul style="list-style-type: none"> • ensure that the specification is precise and not in excess of the requirements. 	<ul style="list-style-type: none"> • Don't change the evaluation criteria during the process.
<ul style="list-style-type: none"> • ensure that the Evaluation Criteria is directly relevant to the subject of the contract 	<ul style="list-style-type: none"> • Don't give companies too short notice to quote.
<ul style="list-style-type: none"> • complete and retain full records for future reference and audit purposes 	<ul style="list-style-type: none"> • Don't enter too much detail verbally with suppliers regarding specific questions. The same information must be provided

	to all suppliers to ensure the process is fair
<ul style="list-style-type: none"> ensure that quotes/tenders are evaluated on a 'like for like' basis. 	<ul style="list-style-type: none"> Don't reveal prices to potential suppliers.
<ul style="list-style-type: none"> ensure that you treat suppliers in an open, transparent, and non-discriminatory manner. 	<ul style="list-style-type: none"> Don't breach confidentiality.
<ul style="list-style-type: none"> allow sufficient time for companies to quote 	<ul style="list-style-type: none"> Don't open quotes/tenders in advance of the deadline.
<ul style="list-style-type: none"> ensure the value of the Goods/Works or Service is estimated accurately at the start of the process to apply the correct procurement process. The aggregated value must be used where applicable. 	<ul style="list-style-type: none"> Don't consider submissions received after the deadline.

Procurement Definitions

Title	Description
Aggregation	Adding together the value of separate contracts for the same supply, service or works.
Contract	A Contract for the purposes of these Rules shall be any agreement (whether in writing) between the grant applicant and one or more other parties for: - <ul style="list-style-type: none"> the sale of goods or materials. the supply of goods or materials. the execution of works the provision of services (including accommodation and facilities).
Competitive Source	an independent provider bidding against another independent provider
Goods	are material items i.e. equipment, food, vehicles etc
World Trade Organisation's Agreement on Government Procurement (GPA).	are rules and regulations that Public Sector organisations must adhere to when procuring Goods, Works and Services over a certain value threshold whereby an official Tender Exercise in accordance with the World Trade Organisation's Agreement on Government Procurement (GPA) should be undertaken.
Evaluation	a method of determining which offer provides the best value for money in accordance with the pre-determined evaluation criteria
Evaluation Criteria	A list of key requirements taken from the specification that will enable suppliers to explain how they intend to deliver the requirement which will be evaluated. The criteria by which the most economically advantageous tender will be determined is based on a combination of price/cost and quality criteria.
Evaluation Panel	It is best practice to establish an evaluation panel to undertake the evaluation exercise. It may be appropriate to have a cross functional team as a panel. Panel should agree specification and evaluation criteria. Panel should be consistent throughout each stage of procurement exercise

Sell2Wales	is a National Procurement Website where all public sector contracts are advertised. Third Party Grant Recipients can also advertise via the website free of charge, please visit the Sell2Wales website http://www.sell2wales.gov.uk/ and contact the website helpline on 0800 222 9004 for further information.
Services	tasks undertaken by people i.e. consultancy services, translation services etc
Specification	this is a written statement that defines the requirements. The specification will vary according to the work, product or service concerned. For a simple product the specification may be a brief description, while in the case of a complex requirement it will be a comprehensive document. The description of the goods, works or services required must not refer to a specific make, brand, or source.
Tender/Quote	is the document compiled by a potential supplier in response to an invitation to quote/tender. It sets out general information demonstrating the capability and eligibility of the supplier - including detailed information about how they propose to fulfil the specifications of the requirement.
Works	include landscaping, construction, building works etc

Annex 2

Welsh Language Standards (Welsh Language (Wales) Measure 2011)

The Welsh Language Standards Compliance Notice places a statutory requirement on Carmarthenshire County Council to ensure that all grants it awards has a positive effect on opportunities for persons to use Welsh, and the Welsh language is not treated less favourably than English. To meet these requirements, you must make every effort to do the following:

- *Operate bilingually, giving Welsh a high visual presence and status at every opportunity (promotional materials, posts, press releases)**
- *Communicate bilingually with the public (emails, press releases, phone call letters)**
- *Collaborate with partners who promote the Welsh language (Mentrau Iaith, Urdd, Welsh for Adults)**
- *Ensure that there is a workforce with Welsh language skills, or other arrangements in place, that will enable activity in accordance with the Standards**
- *Provide services in person or online in Welsh**
- *Demonstrate consideration of the linguistic nature of the geographical area**

<https://www.carmarthenshire.gov.wales/media/1223639/the-welsh-language-in-business.pdf>

These are examples of commitments that the applicant may make in order to provide in accordance with the Standards. This list is not exhaustive but rather offers suggestions, and the candidate could suggest other commitments if they so wish.

Applicants will be expected to consider the relevance of the below to the work they want to achieve through the grant and to commit to as much as possible in line with the size of the organisation's turnover, and the size of the funding application.

Please note however that any organisation employing more than 50 members will be expected to make a significant commitment to the Welsh language, aiming to achieve what is in the list below. Every situation will be considered individually, and advice and support will be available to candidates.

Applicants will be expected to set out their commitments to the Welsh language in their answer the questions on the application form and, once agreed with the grant officer, they will be included as terms and conditions for the successful applicant.

1. The organisation

We will map the organisations current capacity to deliver in Welsh
We will strive to increase the organisations capacity to provide in Welsh either by employing staff with Welsh language skills, by using volunteers with Welsh language skills or by working in partnership with another organisation who can provide in Welsh
We will ensure that we have arrangements in place to provide materials in Welsh
We will consider Welsh language provision from the outset, when planning the provision
We have a Welsh Language Policy or Action Plan that outlines our commitment to the Welsh language in everything that we do

We are a Welsh medium organisation that administer and deliver through the medium of Welsh

2.Publicity

We will publish all publicity materials in Welsh, electronically and on paper. We will ensure that the Welsh promotional materials go out at the same time as English, to the same standard and with the Welsh language in a position in which it will be read first

We will promote our provision / service to a Welsh-speaking audience clearly indicating that there is a Welsh or bilingual provision available

We will encourage Welsh speakers to get involved / use our service / project through the medium of Welsh

We will promote the Welsh language in all activity

Our organisation's Welsh speakers will wear badges that indicate that they can speak Welsh and encourage people to speak Welsh

We will create a Welsh or bilingual identity for my project / service.

3.Public engagement

We will communicate general message with the public bilingually

We will offer to communicate in Welsh with individuals and then communicate with them in the language they require

We will provide our activity in Welsh

We will deliver our activity bilingually, ensuring that Welsh is treated as favourably as English

If an element of the activity cannot be provided in Welsh for lack of personnel, we will make every effort to ensure that Welsh is treated equally favourably as English, using Welsh facilitators or simultaneous translation for example, or by working in partnership with other organisations

We will promote the Welsh elements of our provision

4.Ensuring a positive impact on the Welsh language

We have an understanding of the linguistic situation of the county and we understand the need to promote the Welsh language

We will offer Welsh language provision rather than waiting for someone to request it

We will be engaging with Welsh-speaking communities (geographical or otherwise)

We will ensure that our provision does not have a negative impact on overall Welsh language use in the county, including ensuring that our provision does not encourage Welsh speakers to engage with each other in English because of our provision

We will ensure the use of Welsh in all our provision including by those who are less fluent

Our activity will provide an opportunity for people to use their Welsh language or develop their Welsh skills

We will collaborate with partners who promote the Welsh language (Enterprises, Urdd, Young Farmers, Meithrin, Cymraeg i Blant, Welsh medium Schools, Welsh for adults, chapels, choirs, local newspapers, forums and networks that promote the Welsh language)

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