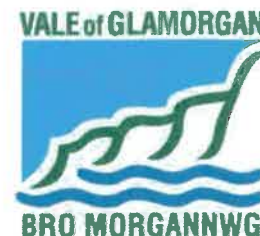


Date/Dyddiad 27/6/2024
Ask for/Gofynwch am Lucy Butler
Telephone/Rhif ffôn 01446 704665
Fax/Ffacs
e-mail/e-bost lbutler@valeofglamorgan.gov.uk
Your Ref/Eich Cyf
My Ref/Cyf 2011/00423/S106

The Vale of Glamorgan Council
Civic Offices, Holton Road, Barry CF63 4RU
Telephone: (01446) 700111
www.valeofglamorgan.gov.uk

Cyngor Bro Morgannwg
Swyddfeydd Dinesig, Heol Holton, Y Barri CF63 4RU
Rhif ffôn: (01446) 700111
www.bromorgannwg.gov.uk



Cathy Kennedy
Town Clerk,
Cowbridge Town Council
Town Hall,
Cowbridge,
Vale of Glamorgan
CF71 7AD

townclerk@cowbridge-tc.gov.uk

Dear Ms Kennedy,

SECTION 106 PROJECT FUNDING LETTER

Project: Drainage works to pathway adjacent to Waitrose Store, Cowbridge

I refer to the Town Council's Section 106 funding request in relation to the above works. I am pleased to advise that the Vale of Glamorgan Council has agreed to commit the Section 106 funding as set out in the table below to the project:

Total S106 Funding £
£10,460.72

Please note, that the funding is being sourced via a Section 106 sustainable transport contribution received by the Council (from the re-development of the Birds Garden Centre site, Cowbridge via a Section 106 Agreement). The contribution was paid by the developer to supply information, facilities or infrastructure which provides or improves access for pedestrians, cyclists, public transport users, motor cycles, taxis or car sharers in the vicinity of the site to the site.

If you wish to accept the offer, please read the terms and conditions that follow carefully. Please be particularly aware of the additional conditions set out under heading 3 – Additional Conditions of the Grant Offer. Once you have done so, you must sign and return a copy of this letter to lbutler@valeofglamorgan.gov.uk. This must be done prior to commencement of the project and no funding will be released to you until you have returned the signed duplicate of this letter.

The terms and conditions of the offer of funding are as follows:

1. Total Approved Costs

Cost Description	
Cost Description – Item or Activity	Total (£)
Drainage improvement works to pathway adjacent to Waitrose store, Cowbridge	10,460.72
Total	£10,460.72

2. Commencement of Project

- (1) You must start the project within **twelve months** of the date of this letter (unless otherwise agreed). Please notify Vale of Glamorgan Council of the project start date and anticipated end date.

3. Additional conditions of the grant offer.

- (1) Please note that the funding is subject to all relevant parties firstly agreeing to the remaining section of footpath being designated as a Public Right of Way to connect the two existing ends of Footpath 6 Cowbridge.

- (2) Should you accept the offer, we require you to comply with the following:

- a. Provide a copy of the Constitution and Equal Opportunities Policy for your organisation. Please return this via email.
- b. Provide documentation to demonstrate that the cost of your project is fully met with the funds you have secured.
- c. Ensure that your procurement approach for the works is in accordance with the Vale of Glamorgan Council's adopted procurement guidelines.
- d. Agree for the Highway Authority to inspect and sign off the proposed drainage works.

4. Claims for and payment of funding

- (1) As funding is required up front, the Vale of Glamorgan Council will require you to submit evidence of the works and the expenditure incurred (e.g. paid invoices). The works must be completed to the satisfaction of the Vale of Glamorgan Council and appropriate evidence (e.g. before and after photographs) should be provided to show that the works have been fully completed.
- (2) Funding will only be available for approved spend levels and cost headings. No funding will be awarded or paid against any overspend unless specifically approved in advance. You will be responsible for any additional expenditure in full. If the project underspends for any reason the amount of the funding may be reduced accordingly.
- (3) Funding will be paid by BACS by the Council. A BACS form has been attached at Appendix 1 and you should return the completed form with the signed duplicate of this letter.
- (4) It is your responsibility to inform us of any changes to e-mail addresses or banking information and the Vale of Glamorgan Council will not be liable for any loss or delay in paying if you do not.
- (5) Any proposed change to the scope of the project must be discussed and agreed by the Vale of Glamorgan Council prior to any change taking place. Please note that the failure to notify the Vale of Glamorgan Council of any change over and above that allowed by the terms and conditions contained in this letter may result in funding payments being withheld, withdrawn or liable to repayment.

5. Withholding and/or repayment of Funding

- (1) The Council reserves the right to withhold and/or, insofar as payment has been made, you shall be liable to repay your funding either in whole or in part, in the event that:
 - a. there is a substantial or material change in the nature, scale, costs or timing of the project for which appropriate consent has not been obtained from Vale of Glamorgan Council; or
 - b. any of the terms and conditions of this letter have not been complied with; or
 - c. the Council considers the future of the Project to be in jeopardy; or
 - d. you have failed to take sufficient measures to investigate and resolve any reported irregularity; or
 - e. you fail to deliver the Project as outlined in the original grant fund application for funding for the project; or
 - f. funding is not used for the purposes described in the original request for funding; or
 - g. there is unsatisfactory progress towards completing the Project; or
 - h. any information provided in the request for funding or in subsequent or supporting correspondence or in any individual claim for funding or as required by Vale of Glamorgan Council is found to be substantially incorrect or incomplete; or
 - i. there is evidence of any other irregularity, impropriety, or negligence.

- (2) Any over-payment of funding must be repaid on demand or if you become aware that funding has been overpaid, whichever occurs first.

6. Accounting and Retention of Records

- (1) You must retain all financial records in respect of Section 106 funding expenditure (and match funding expenditure if applicable) in respect of your project in such a way that specific expenditure can be readily identified.
- (2) You must further allow inspection of the project and such records at any time at reasonable notice by Vale of Glamorgan Council, or any other associated body.
- (3) Records should be retained for a period of **6 years after the last payment of funding**.

7. Inspections

- (1) Vale of Glamorgan Council, or any other associated body may undertake on-the-spot check in respect of your project.
- (2) On-the-spot checks may be unannounced, or within a strictly limited period of notice, notice will not normally exceed 48 hours.
- (3) If you refuse to allow an on-the-spot check; fail to co-operate with the on-the-spot checks request; obstruct the person authorised to inspect or fail to give reasonable assistance, you may lose your funding and may be subject to legal proceedings.
- (4) The content of the on-the-spot checks will verify the following:
 - that the payments of funding made to you can be supported by accounting or other documents approved under this letter
 - for an adequate number of cost headings, that the nature and timing of the relevant expenditure correspond to the approved specifications of the project and the works actually executed or services delivered
 - that the use or intended use of the project is consistent with the use described in the application for funding
- (5) If during any visit you are found to have intentionally made a false declaration the project will be excluded from support and any amounts already paid for that project will be recovered. You will also be excluded from receiving future support or financial assistance from the Vale of Glamorgan Council.

8. Monitoring and Evaluation

- (1) You should retain any documentation relating to the Project until 6 years after last payment of funding for the project.
- (2) You may be subject to ad hoc monitoring visits during the life of the project by Vale of Glamorgan Council to ensure the project is proceeding in accordance with the proposals submitted.
- (3) You may be contacted by Vale of Glamorgan Council to gather information about the activities promoted through the project through follow up marketing and case studies.
- (4) Your commitment to the project may be assessed by the Vale of Glamorgan Council through follow up meetings.

9. Community Publicity Requirements

You are also required to comply with the Welsh Language Act 1993.

Please recognise funding support in any marketing material or press releases relating to the project. We encourage you to take photographs of the project before, during and after completion. Please keep in touch with us throughout the project as we are keen to see how things are going and support in any way that we can.

10. Freedom of Information statement

- (1) To meet the Council's obligations under the Data Protection Act 2018 we need to explain how we will handle the information you give us. Further, because the grant of funding will involve expenditure of private money, the funder will have an interest in how the money is spent.
- (2) The information which you provide to Vale of Glamorgan Council will be held for the purpose of monitoring and evaluating.
- (3) The Council may also need to disclose details about your application and agreement to other organisations or individuals for administration, evaluation or monitoring purposes. Such information may be released upon request under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000.
- (4) For further information on how your information is used, how we maintain the security of your information and your rights to access information we hold on you please contact the Section 106 officer on 01446 704665 or e mail lbutter@valeofglamorgan.gov.uk

As previously stated, please could you sign and return this letter to the Vale of Glamorgan Council at the above email address in order for us to process the Section 106 grant payment.

Yours sincerely,

Ian Robinson

Ian Robinson
Head of Sustainable Development

Enclosure: BACS Form

I/We hereby accept the terms and conditions set out in this letter.

.......... (Signature)
.....CATHY KENNEDY..... (Name)
.....TOWN CLERK..... (Position in Organisation)

for and on behalf of

Cowbridge with
Llanblethian
Town Council (Organisation)
(date)

Checklist

Our organisation is:

VAT registered ☐

Not VAT registered ☒

I have completed and enclosed Appendix 1 – BACS form ☒

I have attached evidence of my account details
(e.g. paying in slip or redacted bank statement) ☒

I have attached a paper copy or sent an electronic copy
of the Constitution ☒

I have attached a paper copy or sent an electronic copy
of the Equal Opportunities Policy..... ☒

I have attached a copy of my offer letter of funding or a bank
Statement showing sufficient match funding available if applicable..... ☒