

S&E Regional OP 2007 – 2013 Draft Implementation Plan 3.1/2.4

Operational Programme	S &E Regional Operational Programme 2007 - 2013
Priority	Sustainable Urban Development
Theme	Gateways and Hub Challenge Funds
Sub-Theme	Sports & Cultural Facilities; Swimming Pool Programme.
ERDF Certifying Body	Department of Finance
Managing Authority	S &E Regional Assembly
Intermediate Body	Department of Arts, Sport & Tourism
Level 1 Public Body	Local Authorities
Grant Rate	Grant aid rate will be €4m for a new project. Where a project is located in or within the catchment of a disadvantaged area, the maximum grant rate will be €4.5m. For refurbishment of an existing pool, a grant rate of 80% (or 90% in or within the catchment of a disadvantaged area), subject to a maximum grant of €2m will apply
EU Co-financing Rate	40%

Description

The Local Authority Swimming pool programme provides grant aid to Local Authorities to provide new public swimming pools or replace or refurbish existing public swimming pools. Specifically in order to address social inclusion issues, the grant rate is higher, where a project is located in or within the catchment of a disadvantaged area. It contributes to strengthening the designated growth centres in Gateways and Hubs in accordance with the NSS. The projects, which will be identified for EU co-financing will be those in Gateways and Hubs or serving these populations.

Objectives

Projects co-financed under this intervention will seek to contribute to the successful implementation of the NSS. The intervention will seek to improve the economic, environmental, social and cultural fabric of the gateways and hubs and to contribute to their attractiveness as places to live in and invest in. This will complement the large-scale investment proposed under the NDP 2007-2013. The Local Authority Swimming Pool Programme aims to foster an integrated and planned approach to developing sports and physical recreation facilities throughout the country. In particular its objectives are to:

- Assist Local Authorities in conjunction with voluntary and community groups to develop high quality, safe, well designed and sustainable swimming facilities.
- These objectives will contribute to the horizontal principles of social inclusion and the promotion of greater female participation in sport.
- The projects identified for EU co-financing will be those that contribute to the enhancement of Gateways and Hubs under the NSS.

Responsibilities of Intermediate Body

The Department of Arts, Sport and Tourism is the Intermediate Body in respect of the Local Authority Swimming Pool Programme.

DAST will be responsible for ensuring the effective implementation of the intervention and for full compliance with the Regulations. DAST will be responsible for ensuring that payment claims for Structural Fund expenditure submitted by the Local Authorities are supported by receipted invoices. DAST will also be responsible for ensuring in respect of co-financed intervention projects, that only eligible expenditure actually incurred is submitted to the S & E Regional Assembly.

The Department, with assistance from OPW, CSSO and the Office of the Attorney General will have responsibility for ensuring that capital projects are planned, designed and constructed to high standard and that Government investments are legally protected.

Other responsibilities of the Intermediate bodies will be,

- Selection processes
- Certification and Verification, including on-site checking of completed projects
- Ensuring compliance with public procurement, EU eligibility, tax clearance, etc., by final beneficiaries
- Compilation of Monitoring Committee reports
- Ensuring that a clear audit trail exists
- Oversight in relation to horizontal principle
- Co-operation with OP-level evaluations
- Use of IT system as specified by the Certifying Authority

Responsibilities of Level 1 Public Body

The Local Authorities will be responsible for the implementation of the projects at local level. As the final beneficiaries, the LAs will be responsible for ensuring that only actual eligible expenditure incurred, is certified. They will be required to ensure a clear audit trail exists in relation to EU co-funded expenditure and that receipted invoices support all claims. They will also be responsible for reporting requirements as required under the programme.

The contribution of the NDP and NSRF will be acknowledged in all promotional material, annual reports, letters of offer etc. by use of appropriate logo and text references. The Beneficiary Bodies will also have responsibility for,

- Scoping and submitting applications
- Compliance with public procurement, tax clearance etc.
- Information and publicity,
- Maintenance of all original project documentation
- Adherence to horizontal principles
- Use of IT system as specified by the Certifying Authority

Contribution to Horizontal Themes

Social Inclusion

- Promoting equality of access and removing barriers to participation. Under the LASPP the grant rate is higher, where a project is located in or within the catchment of a disadvantaged area. This recognises the importance of concentrating on those areas of specifically identified disadvantage, as in and adjacent to RAPID areas, so as to ensure that all sections of the community can

obtain access to pool facilities at reasonable cost and at reasonable times and to achieve an equality of pool provision throughout all of the community.

- Access for people with disabilities. New grant within the LASPP to enhance disabled access.
- This will allow Local Sports Partnerships to promote healthier lifestyles, combating obesity and promoting activity amongst the elderly.
- Will help with the promotion of The National Childrens Strategy,
- Promote the Aquatic Strategy of the Primary Educational Curriculum and water safety,
- Promote activity amongst disabled people,
- Help young people to leard to swim and promote water safety,
- The projects identified for EU co-financing will be thse that contribute to Gateways and Hubs under the NSS.

Broad Equality :

- The National Women's Strategy 2007 – 2016 referred to increasing participation of girls in sport and the provision of swimming pools will assist with this objective. There is increased interest in combating obesity and leading healthier lifestyles.
- These objectives will contribute to the horizontal principles of social inclusion and the promotion of greater female participation in sport.

Project Selection

Local Authority proposes the project in the form of a feasibility study. The project will be assessed by the Intermediate Body, following technical advice from the OPW, and then approved by the Minister.

Selection Criteria

- size of catchment;
- public opening hours (as opposed to school use);
- numbers of primary and 2nd level schools in the catchment;
- addressing local disadvantage;
- proximity of other public swimming facilities;
- National Spatial Strategy considerations;
- proximity of other large-scale public sporting facilities.
- Financial arrangements, both capital and current (operational) put forward by the promoting authority;
- Management/operational arrangements proposed for the facility
- Increase in participation rates expected
- Increased participation of women in sport,

Additional Selection Criteria for Structural Funds

- In S &E region
- In a Gateway or Hub

Performance Indicators

Class	Indicator	Baseline	Mid-term Dec '09	Final 2013
Output	Number of public pools funded	4 pools	4 pools	5 pools
Result	Number of public pools opened to the public	1 pool per 58K population	1 pool per 58K population	1 pool per 50K population

The Local Authority Swimming Pool Programme is a demand led scheme so it's difficult to predict the levels of demand in the next 5 years. However since the present scheme is closed since July 2000 even if a new scheme is launched before the end of 2008 demand is likely to be slow initially. Also swimming pools would not be top of Local Authorities list of priorities in these more straitened times. The grant now amounts to no more than 50% of the cost of these projects so Local Authorities have in the past have had to rely from funds from their Development Levies now expected to decline in line with the building industry.

Financial Management

Financial management for the scheme will be in accordance with the financial management and control requirements relating to the implementation of ERDF co-funded assistance to be set out by the Department of Finance and the Managing Authority. All expenditure being reported will be certified before making any expenditure declaration to the Commission.

As the Level 1 Public Body the Local Authority is responsible for reporting and certifying the accuracy, actuality and eligibility of the expenditure Level 2 and for completing the Form B1. Level 1 certifies that the required management and control procedures are in place and that an adequate audit trail exists. Each expenditure report forwarded from Level 1 will be accompanied by a completed Form B1 and project schedule, as appropriate.

The following conditions apply to DAST financial management of projects,

- Each year The Department of Arts, Sport and Tourism allocates the annual grant under the Local Authority Swimming Pool Programme under Subhead C2.
- Registered contractors who possess current C2 certificates or tax clearance certificates must undertake all grant-aided work.
- Verification procedures will be in place to check the accuracy of what's declared. This will consist of both document and spot checks carried out by DAST. There will also be extra checks to satisfy EU requirements for co-financed projects.
- Procedures for compliance checking e.g. eligibility (treatment of overheads, revenues, land purchase etc) will be in place. Also extra checks to satisfy EU requirements for co-financed projects.
- Compliance with requirements in relation to keeping of records in an acceptable format including checking Local Authority records to identify ineligible expenditure for EU funding.
- Aggregate data will be forwarded to the S & E Managing Authority.
- There will be an Administrative Agreement between DAST and the S & E Managing Authority.
- Payment of the grant will issue at a rate of 80% of eligible costs [90% in disadvantaged areas] incurred as work progresses on the pool project.
- All claims for payment of grant must be accompanied by invoices/architect's certificates and must be approved by the County Engineer (or equivalent). These claims will be subject to clearance by our technical advisors.
- The timing of the payment of the grant will be dependant on the funds available to the Department under the Swimming Pool Programme
- Claims up to €1.0m are certified in the Department by an officer of Assistant Principal Grade and by a Principal Officer if over €1.0m. Cheques are issued on behalf of DAST by Financial Shared Services Division of the Department of Justice, Equality and Law Reform in Killarney.

- An amount equal to 10% of the grant aid will be retained until such time as final accounts for the project are approved and certification that the project has been satisfactorily completed in all respects. Specifically the building must be certified as having been built satisfactorily in full compliance with Planning and Building Regulations.
- The site of property where the proposed development is to take place must be owned or held under lease for a term of generally not less than 15 years.
- The composition of the Board of any special purpose company being established to control and operate this pool shall not be altered without the consent of the Minister.
- The Department's technical advisors the OPW will have a monitoring role in relation to this project. Legal aspects of cases are cleared with the CSSO and the AG.
- The Council is responsible for making satisfactory arrangements for the management, maintenance and insurance of the proposed facility.
- The Department of Arts, Sport and Tourism do not accept any responsibility for the operating costs of the completed facility and Exchequer, Lottery or other public funding will not be available for the on-going operational costs of the facility.
- Confirmation of the Fire Officer's satisfaction with the safety aspect of the development is required.
- On completion of the project, the Architect and other members of the Design Team will issue an opinion on Compliance with Planning and Building Regulations.
- The Department expects that the Council will proceed with the project without undue delay. In this regard, the substantive construction phase of the project must be commenced within six months from the date grant approval. Failure to comply with the timeframe may result in withdrawal of this grant offer.
- The Council is reminded of the requirements for Project Review not later than two years following the date of practical completion of the project in accordance with paragraph 8 of the Procedures for the Planning, Approval and Financing of Swimming Pools and Technical Guidelines (Memorandum LSS 1.98).
- In relation to the tendering process, it is this Department's policy that tendering for all projects which are in receipt of grant assistance should be in accordance with the public procurement guidelines and be open to competition from as wide a range of firms as practicable. A tendering report will be sought in relation to the tendering procedure used by the promoters. The tendering process should also comply with any applicable EU Public Procurement Directive.
- A sign indicating that the project is being part-funded by the Department of Arts, Sport and Tourism and under the S & E Operational Programme will be required. A temporary sign should be erected when the contract has been completed. These signs should be bilingual and the Department will require photographic evidence.
- All projects must comply with reporting requirements under the NDP 2007 – 2013 and the S & E Operational Programme 2007-2013 as directed by the Department of Arts, Sport & Tourism i.e. publicity, performance indicators, horizontal impacts etc.
- If the Local Authority has to borrow it must have sanction from the Minister for Arts Sport and Tourism who has to get advice of the Department of the Environment. Where an overdraft is raised by a LA the sanction of the

Department of Arts Sport and Tourism is sought and available subject to an overall Department annual limit. If the overdraft is repaid within the same calendar year as its taken out sanction of the Department of Arts, Sport and Tourism is always available irrespective of the annual ceiling.

- In accordance with Article 90 of the General Regulation (EC) 1083/2006, the Intermediate Body and Beneficiary Bodies will ensure that all supporting documents regarding expenditure, verification checks, certification and audits on the interventions concerned are kept available for the EU Commission and Court of Auditors for a period of three years following the closure of the Operational Programme.
- Before the Minister for Arts, Sport and Tourism can approve a grant for a pool project costing in excess of €6.35m sanction must first be got from Department of Finance.
- Where a Local Authority is providing a pool in conjunction with a private developer there must be a Deed of Covenant and Charge in place between the Local Authority, the Developer and the Minister for Arts, Sport and Tourism to ensure that the pool will be used for the purpose intended for 15 years and that access at reasonable times and charges would be available to the public, thus fulfilling social inclusion provisions. The Department would have to be satisfied that this could not be classed as aid to a private individual in breach of EU Law.

Document Retention

In accordance with Article 90 of the General Regulation (EC) 1083/2006, the Intermediate Body and Beneficiary Bodies will ensure that all supporting documents regarding expenditure, verification checks, certification and audits on the interventions concerned are kept available for the EU Commission and Court of Auditors for a period of three years following the closure of the Operational Programme.

Monitoring and Reporting arrangements

The reporting arrangements require that a progress report be submitted annually to the Monitoring Committee in a format to be specified by the Committee. In addition, Intermediary Bodies will be required to provide data on the IT system which will be used to transfer information to the Commission..

Information and Publicity.

Facilitate the publication of Beneficiary List. The Department and Level 1 Public Bodies will ensure compliance with the Information and Publicity requirements as set out under articles 5 to 9 Regulation (EC) 1828/2006. The availability of funding shall be widely publicised through print (national and regional) and electronic media. The contribution of the NSRF 2007-2013 and EU Structural Funds will be acknowledged in all promotional material, annual reports, letters of offer etc. by use of appropriate logo and text references. The relevant Structural Funds regulations on Information and Publicity will be complied with in this regard. Grant aid applicants will be advised in advance of the requirement to acknowledge funding sources. DAST will provide Local Authorities with the appropriate logos and wording to be used in all publicity material – as per article 9 of Reg. (EC) 1828/2006. All Information and Publicity will be undertaken in accordance with the Communications Plan.

North/South Co-operation

If suitable applications are received for pool projects in the Hubs and Gateways located in the border region there will be a positive impact on North – South Co – Operation both by the job opportunities created in the building of these projects and by people from the North availing of these new facilities once built.