



Dear Sir/Madam

Reopening High Streets Safely Fund (RHSSF) - Delivery Partner Agreement with the Cornwall Council (the Council)

We write further to our previous correspondence with you as Delivery Partner for the Reopening High Streets Safely Fund (RHSSF).

As you are aware, the Reopening High Streets Safely Fund became the Welcome Back Fund (WBF) with effect from 16th April 2021, and is now running up to 31st March 2022 with an increased scope. The terms of the WBF are similar but not identical to the RHSSF; please see the [Welcome Back Fund Guidance and FAQs](#).

The arrangements will be as before and in order to continue receiving payments from Cornwall Council, expenditure must be on eligible items and claims will need to be submitted to Cornwall Council, who will review and consolidate all claims to submit to DLUHC, quarterly following the WBF claims process.

Please find enclosed the Delivery Partner Agreement and guidance for the Welcome Back Fund and instructions as to what needs to be signed and returned to us.

Yours Faithfully

Signed by [insert name of signatory]
[insert position of signatory]
 for and on behalf of the [insert name of the organisation] to
 whom this letter is addressed.

Signed by _____, for and on behalf of Cornwall Council

.....



Dear Sir/Madam

Reopening High Streets Safely Fund (RHSSF) - Delivery Partner Agreement with the Cornwall Council (the Council)

As you know, the European Regional Development Fund (ERDF), through the Reopening High Streets Safely Fund (RHSSF), is providing money between 1st June 2020 and 31st March 2021 to help High Streets and Neighbourhood Shopping Areas establish a safe trading environment for businesses and customers. To access this money, local authorities are required to enter into a funding agreement with the Cities and Local Growth Unit (CLGU) and town councils wishing to draw on these funds must enter into Delivery Partner agreements with the local authorities confirming that they will comply with the rules and other requirements of both the ERDF and the RHSSF. The purpose of this letter is to put in place the contractual relationship required by the RHSSF rules.

ERDF

The rules and other requirements relating to ERDF funding can be found at <https://www.gov.uk/guidance/england-2014-to-2020-european-structural-and-investment-funds>. It is particularly important that you comply with:

- [The Eligibility Rules and Guidance](#) in relation to what costs are eligible/ineligible
- [The National Procurement Requirements](#)
- [The Branding and Publicity Requirements](#)
- [The Document Retention Guidance](#)

But there are also other important issues such as State aid and counter-fraud that you should be aware of. We have already circulated some informal guidance on complying with these rules with previous communications about the RHSSF.

RHSSF

The rules and other requirements relating to the RHSSF can be found at <https://www.gov.uk/government/publications/reopening-high-streets-safely-fund-guidance>. For ease of reference we are enclosing the current versions of the guidance dated 29th May 2020 and the FAQs dated 8th October 2020 but you should be aware that these may be updated by the Government without notice and you must comply with the version that is current at any time. The FAQ document provides useful detail about what expenses are eligible/ineligible.



The Living Wage

Any staff employed by the Delivery Partner or its sub-contractors in connection with the performance of its obligations under this agreement shall be paid no less than the Living Wage as determined and amended from time to time by the Living Wage Foundation.

Claims

Once you have agreed to become a Delivery Partner (see below), and your bid/proposal has been accepted (see below), you may start submitting claims on the enclosed Expense checklist and claim form. This form has been devised to help you identify what items of expenditure are eligible and what evidence must accompany them. Expenses that are not on this form and/or which do not have all the required evidence attached will be rejected. Please submit your claim forms and supporting documentation at the end of each month. All expenses will need to be reviewed and consolidated by Cornwall Council into the quarterly RHSSF claims process. It is particularly important to note that expenses cannot be accepted unless and until evidence of defrayal (ie. the payment leaving your bank account) has been provided. Your claims will be paid quarterly on receipt of the monies from the CLGU. No expenses defrayed before 1st June 2020 or after 31st March 2021 can be accepted.

Please find enclosed the following documents in relation to the RHSSF:

1. MHCLG Guidance dated 29 May 2020;
2. FAQs dated 8 October 2020 in relation to the RHSSF;
3. Expense checklist and claim form for the RHSSF;
4. Proposal/Bid for the RHSSF;
5. Monitoring & Outputs guidance & reporting.

Please would you ensure that you have read each of the enclosures and confirm your agreement to become a Delivery Partner for the RHSSF project and your express agreement to be bound by the rules and guidance that apply to both ERDF and RHSSF funding as set out above by providing your VAT status details and signing and returning a copy of this letter to Cornwall Development Company Ltd (CDC), which is appointed to administer the RHSSF scheme on behalf of Cornwall Council, at:

Cornwall Development Company
Tyncroft House
Station Road
Redruth
TR15 3QG
FAO Matthew Vowels

And emailing a copy to amy.thurtle@cornwalldevelopmentcompany.co.uk.



Upon receipt by CDC of your signed letter you will thereby become a Delivery Partner for the purpose of the RHSSF project on the terms set out in this letter. You may then submit your proposal / bid to Amy Thurtle at CDC by e-mail or post using the contact details above, along with the required evidence. Please note that any activity undertaken prior to the Council's approval being given or other than in accordance with the guidance enclosed with this letter agreement is at your own risk which may mean that you will not be able to recover this cost as part of your claim.

Yours faithfully

Signed by: Camilla F Southworth
 Clerk & RFO to Torpoint Town Council
 for and on behalf of the Torpoint Town Council
 to whom this letter is addressed.

Signed by _____, for and on behalf of Cornwall Council

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*VAT can only be claimed if a town or parish council is not registered for VAT; if VAT is to be included in a claim, confirmation of the relevant council's VAT status will be required from an authorised council officer

Are you registered for VAT? Yes/

If so, what is your VAT registration number? 323 7667 89



Welcome Back Fund

Dear Town Stakeholder/Delivery Partner

WBF is wholly funded by European Regional Development Fund (ERDF) to support the safe return to high streets and help build back better from the Covid-19 pandemic. As you know, the aim of WBF is to support investment activity in eligible local areas that directly contributes to an increase in footfall and dwell time, boosting the local high street whilst keeping people Covid safe.

Cornwall Council intends to use the Welcome Back Fund to increase footfall and attract people back into town centres. As detailed in our survey with you back in June, eligible activities which support 'safe' cultural events programmes rather than just stand-alone 'beautifying' of public areas have been prioritised.

WBF funding is designed to support growth and resilience within local towns/areas and the activity supported therefore must be new and additional to existing/proposed plans and activities.

Welcome Back Fund requirements

As you are aware, the WBF is funded by the European Regional Development Fund (ERDF). This means that all towns wishing to benefit directly from the WBF must be formally signed up as Cornwall Council's delivery partners and must comply fully with the WBF grant funding conditions and the applicable requirements of the ERDF Growth Programme 2014 – 2020. Delivery partners must therefore familiarise themselves with the [Welcome Back Fund guidance and FAQs](#), in particular the sections on:

- The areas of scope
- The activities that are out of scope, which include:

Out of scope or not eligible for this funding stream	
Activity that provides no additionality	<ul style="list-style-type: none"> • This funding is not able to replace already existing measures or activity already being delivered by local authorities. • Only new staff or materials to assist in activities are eligible
Capital expenditure	<ul style="list-style-type: none"> • This is a revenue only funding project intended to help local authorities address the longer-term impact of Covid-19 on local economies. This can include

	activities that last as long as restrictive measures are in place as well as activities that help future proof high streets. Permanent changes are therefore not permitted
Grants to businesses	<ul style="list-style-type: none"> No direct financial support such as the purchase of goods or equipment, PPE purchases or adaptations to premises

- Project records - see the [ERDF document retention guidance](#) and the attached Notes on ERDF compliance
- Publicity requirements – see the [ESIF Branding and Publicity Requirements](#) and the attached Notes on ERDF compliance
- Procurement requirements – see the [ESIF National Procurement Requirements](#) and the attached Notes on ERDF compliance

There is no room for complacency in relation to the WBF/ERDF processes and guidance. They are designed to ensure that funding beneficiaries follow appropriate and transparent processes in areas such as procurement, publicity and expenditure defrayal. All WBF funded activities for which grant is sought need to be backed up with appropriate evidence to ensure the claims submitted can be considered and paid. Claims may be audited by DLUHC, HM Government and/or the European Commission both during the project and for several years afterwards, and funding may be clawed back if irregularities are found on audit. If you have any questions or clarifications on WBF and/or ERDF funding processes or requirements, please contact Cornwall Development Company (amy.thurtle@cornwalldevelopmentcompany.co.uk).

The WBF programme is being managed by Cornwall Development Company (CDC) on behalf of Cornwall Council, and CDC asks that you please note the following important points:

1. Outputs/Deliverables

It is important that you record and evidence the interventions funded by WBF and be able to provide this in support of your claims and possible future audit of the programme. Please see paragraphs 3 below on Monitoring and evaluation and 4 below on Claims for more information about this.

2. Communications

Communications will be managed centrally for the programme and any local requirements can be supplemented in the form of notifications, press releases and publicity provided sufficient notice is given. If you undertake your own communications, please be particularly aware of the need to comply with the ESIF Branding and Publicity Requirements.



3. Monitoring and evaluation

CDC will monitor your programme of activity during the next few months until the end of the programme in March 2022. You will be required to evidence the activity, purchases etc with photos (before and after), to demonstrate the impact from the WBF investment. The nature of the evidence will be dependent on your proposals, in particular, this should include how effective the intervention/activity was in attracting footfall into the high street, by obtaining third party corroboration supported by the appropriate evidence. If you have any doubts about what is needed please contact Cornwall Development Company (amy.thurtle@cornwalldevelopmentcompany.co.uk) to guide you.

Cornwall Council will be undertaking an evaluation of the WBF programme early in 2022, to capture the overall local impact and legacy from the investment. We would appreciate your time in supporting the process so that the assessment and its conclusions will provide valuable learning across town centres and neighbourhood shopping areas on what worked well and what didn't. This will help shape future interventions as a valuable legacy for all.

4. Claims

On receipt of valid claims containing all necessary supporting evidence, WBF will reimburse 100% of eligible costs as determined within this offer letter. Any other complementary funded activity should be for discrete services and materials and separately evidenced.

All activities will need to be defrayed from the Delivery Partners bank account by the 31st March 2022 in order to be eligible. Any payments that appear in your bank account after this date will be ineligible and you won't be able to recover these costs.

ERDF claims will be submitted by Cornwall Council within **20 days** of the end of the December 2021 quarter, and **10 days** of the end of March 2022.

Delivery partners will need to complete the attached claim form and submit ALL evidence in relation to each item of ERDF eligible expenditure **no later than the 14th January 2022 and April 2022**. Please email all claims to amy.thurtle@cornwalldevelopmentcompany.co.uk.

Delivery Partners will be reimbursed once Cornwall Council have received the money from DLUHC.

Delivery Partners should note that WBF claims are normally paid by DLUHC to Cornwall Council within 40 working days from receipt of a complete claim, provided that there are



no outstanding issues, actions or concerns, so cash flowing the costs will need to be allowed for.

Please ensure you have read and fully understand this letter.

Notes on ERDF compliance

These notes outline some of the key ERDF compliance requirements. They do not constitute legal advice or expert opinion, and no liability will be accepted for errors of fact, opinion or law. Professional advice should always be obtained before applying any information to particular circumstances. It is your contractual responsibility, as a delivery partner, to identify and satisfy ERDF requirements that are applicable to your project activities.

Publicity

There are some rules that must be followed in the ESIF Branding and Publicity Requirements at <https://www.gov.uk/government/publications/european-structural-and-investment-funds-programme-guidance>.

It is essential to note the following in particular:

1. There is an ERDF logo and an HM Government logo which must both be used on all project and publicity documents including:
 - advertisements, job advertisements, job descriptions and notices
 - leaflets, brochures, flyers and newsletters
 - promotional items
 - project documentation – e.g. reports, papers and letterheads
 - procurement material
 - social media tools
 - posters (see below for more details)

The size of the logo can be changed so long as its proportions and its technical specifications are not changed in any way and it must be at least as big as any other logo that is used in conjunction with it.

2. Press releases must display the logos, reference the funding being received and include some prescribed Notes for Editors (see section 3.6 of the Branding and Publicity Requirements) - *"The Welcome Back Fund supports the support the safe return to high streets and help build back better from the pandemic and is funded by The European Regional Development Fund."*



3. The logos must be displayed on any relevant website, whether established specifically for Fund activities or a broader website used by the beneficiary, ensuring:
 - use of the colour ERDF logo
 - logo is visible upon landing, in viewing area and without the need to scroll
 - inclusion of a short description of the activities to be supported with aims and results.
4. The project must be publicised by displaying at least one poster of minimum A3 size, readily visible to the public (e.g. the entrance area of a public building) at the location of the activities being implemented and containing information on the work being delivered
5. Everyone who is involved in or benefits from the fund must be made aware of the ERDF support, eg. by mentioning it in meetings and newsletters
6. It is essential to collect, submit to Cornwall Council and retain documentary evidence of compliance with these requirements, including for example photographs and screenshots
7. There is a downloadable zip file containing all the logos and poster templates at <https://www.gov.uk/government/publications/european-structural-and-investment-funds-programme-guidance>.

Procurement of goods, works and services

1. Fair, open and transparent competition is a key requirement for all European funding.
2. All procurements valued at £25,000 or more must be undertaken in accordance with the Public Contracts Regulations 2015.
3. All procurements must follow the [ESIF National Procurement Requirements](#); the majority of these relate to relatively high value procurements (Chapter 6 deals with lower value procurements, which are subject to the Treaty Principles) but please note that:
 - Goods, works and services costing less than £2,500 may be purchased by directly approaching a supplier
 - Goods, works and services costing £2,500 - £24,999 can only be purchased after seeking at least 3 written quotes or prices from relevant suppliers
 - Goods, works and services costing £25,000 + must be subject to a formal tender process and be advertised on Contracts Finder and on Cornwall Council's website.
 - Total estimated spend must not be split down or subdivided to avoid the application of these thresholds
 - All procurement documentation must display the ERDF and HM Government logos (see above)



- A full audit trail of the procurement route followed and the process demonstrating fairness, openness and transparency must be provided to Cornwall Council with any invoice for payment.

Value of contract ³⁵	Minimum Procedure ³⁶	Advertising Required ³⁷
£0 - £2,499 ³⁸	Direct award ³⁹	None
£2,500 - £24,999 ⁴⁰	3 written quotes or prices sought from relevant suppliers of goods, works and services	None
£25,000 ⁴¹ – Relevant Public Contracts Regulations threshold	Formal tender process in line with the Interpretative Communication and the relevant guidance set out below	1) Advertised on Contracts Finder , and 2) the opportunity is advertised on the ESIF grant recipient's website for a reasonable time period ⁴² .

Record keeping and document retention

Funding may be audited by the EU potentially until 2035 so it is essential that full records are securely stored until that time. This applies to everything that supports claims for costs and evidences compliance with the rules, so it includes invoices, publicity evidence and procurement audit trails. EU auditors are entitled to call for original documents so they should not be destroyed even if electronic copies are available.

Towns will need to ensure that they can evidence how expenditure is additional and over and above any that they might otherwise incur for costs to be eligible.

So that Cornwall Council can claim this funding from ERDF, towns should be prepared to provide evidence of the procurement, purchase and deployment of materials and resources as requested by Cornwall Council. Failure to provide this evidence may mean that funding is not able to be claimed through this fund.

ENDS