

Peter McNaney
Chief Executive
Belfast City Council
Adelaide Exchange
24-26 Adelaide Street
Belfast
BT2 8GD

February 2009

Dear Mr McNaney

1. The Department of Culture, Arts and Leisure is prepared to make available to Belfast City Council grant not exceeding £77,300 for the Community Festivals Fund for the period April 2009 to March 2010. The Community Festivals Fund will be 'ring fenced' and separate from other Council funding schemes.

2. Definition of words and expressions used in this Letter

'the Department' means the Department of Culture, Arts and Leisure

'the Council' means Belfast City Council

'Financial Assistance' means the Grant specified in paragraph 1 of this letter or any part or parts thereof as the case may be.

'the Fund' means the Community Festivals Fund as described in the Department's Policy and Guidance Framework Document, (issued with 2008/09 allocation letter).

'Qualifying Expenditure' means the sums, expended by the Council on community festivals and admitted by the Department for the purpose of payment of Financial Assistance.

3. Aims, Objectives and Description of Work

The primary purpose is to improve the quality and capacity of community festivals by the provision of funding towards the cost of events.

4. Services to be provided by the Council

In accordance with the Department's Policy and Guidance Framework, dated December 2007, the Council shall:

- Manage a publicly advertised funding scheme targeted at community festivals, ie, festivals led by a community organisation or a community led partnership;
- Determine and publish clear criteria for the Fund, the application process and procedures for making awards;
- Operate an appeals procedure;
- Produce an annual report on funding of festivals and their impact on the local community or economy;
- Encourage festivals to become more sustainable over time;
- Ensure that all events funded promote the principles of inclusion and comply with equality requirements;
- Ensure value for money in investment of public funds in community festivals;
- Encourage uptake in areas where community infrastructure and capacity are under developed.

5. Matched Funding

In order to maximise the funding available to support community festivals, it is a requirement of this Letter of Offer that the Council matches the Financial Assistance made available by the Department. If the Council does not estimate the local demand to match this figure it should indicate the amount it will require and commit to match in the response to this Letter of Offer. This will allow the potential for re-allocation of Financial Assistance to Councils where requirements are greater than the original allocation.

6. Payment of Financial Assistance

- (i) The Department will make payments of Financial assistance on receipt of a certified claim giving details of expenditure incurred in respect of the following

Awards to Community Festivals

Contribution to Running Costs (max 10%)

The Department's contribution will be 50% of the claim. Claims should be submitted quarterly and in arrears. However, the Department will accept claims on a more frequent basis. If the Council decides that it will not use its full allocation from the Department, the Department must be informed at the earliest opportunity. Each claim should be accompanied by an estimate of

expenditure for the next quarter/period. Further details of how to claim are outlined in the attached schedule.

- (ii) Payment of the Financial Assistance shall be made into a designated bank account number, details of which should be forwarded to the Department.
- (iii) Any approval of expenditure for the purposes of this letter shall be at the absolute discretion of the Department.
- (iv) The Council shall provide the Department with such further information and clarification in relation to any claim as the Department may from time to time request.
- (v) The information provided on grant claims may be made available to other Departments/Agencies for the purposes of preventing or detecting crime.

7. General Conditions

For so long as the Council is under any liability to the Department under the terms of this letter, the Council shall:

- (i) Not seek or make application for any Financial Assistance from any other Government Department, public body or agency in respect of expenditure for which Financial Assistance is or may become payable under the terms of this letter, without the prior written approval of the Department;
- (ii) Maintain its records (financial and otherwise) in such a way as to identify clearly all expenditure and income related to the Fund;
- (iii) Furnish the Department with such information in relation to the organisation and management of the Fund as the Department may from time to time require;
- (iv) Ensure that any original vouchers and documents relating to expenditure on the fund shall be retained for inspection by the Local Government Auditors;
- (v) Indemnify the Department against all actions, proceedings, cost, claims, demands and liabilities whatsoever arising from all or any activities associated with the Fund.
- (vi) The Department reserves the right to seek evidence of expenditure in accordance with the agreed operating guidelines.

8. Repayment of Financial Assistance on Default

- (i) If:

- (a) the Council fails to comply with any of the terms and conditions contained in this letter of offer and any such breach is incapable of remedy or if capable of remedy remains unremedied for more than thirty days after written notice by the Department
- (b) any information given to the Department by or on behalf of the Council in connection with the administration of the fund is found to be false or misleading or there has been a failure to disclose any material fact which would have had a bearing on the Department's consideration of the award of grant;

then on the happening of any such event or events the Department shall be under no obligation to make any further payment of the Financial Assistance and may, on written demand, and at its discretion, ask the Council to repay to the Department the full amount of the Financial Assistance to the Council hereunder.

- (ii) In the event that the Department has made a written demand under sub-paragraph (i) above for repayment, the Department shall be entitled to interest on the amount due from the date thirty days after the date of the written demand until payment. Late payment of grant clawed back will be subject to interest charges calculated in accordance with the Late Payment of Commercial Debt Regulations.
- (iii) Any letter, notice or demand by the Department shall be sufficiently served on the Council if it is delivered by hand or left at the Council's last known address or sent by post addressed to the Council at that last known address.
- (iv) Any failure, delay or omission by the Department to exercise any right or remedy to which it is entitled by virtue of this paragraph shall not be construed as a waiver of such right or remedy.

9. Other Conditions

- (i) The Council shall not without the prior written consent of the Department transfer any of its rights or obligations under this letter.
- (ii) The Department reserves the right to publicise details of the Financial Assistance.
- (iii) This letter is issued in duplicate and if the Council is prepared to accept the foregoing offer on the terms and conditions stated, the form of acceptance appended hereto should be completed on the original of this letter and returned to the Department.
- (iv) When signed off by both parties, one copy will be retained by the Department and one copy will be retained by the Council.

- (v) The offer contained in this letter may be deemed to have been withdrawn if it is not accepted within one month of the date of this letter.

Yours sincerely

Community Festivals Fund – Form of Acceptance

I hereby accept the terms and conditions of this letter of Offer dated February 2009.

And

(a) I accept the level of assistance offered of £ and agree that the Council will provide the same level of funding for community festivals.

Or

(b) I accept a lower offer of assistance of £ (insert amount) and agree that the Council will provide the same level of funding for community festivals.

I also enclose details of Authorised Signatories for the drawdown of grant and Council bank account details.

Dated this day of

Signature..... Position held

(On behalf of Belfast City Council)

Signature:..... Position held

(On behalf of the Department of Culture, Arts & Leisure)

This Form of Acceptance should be signed by an authorised representative of the Council (ie authorised Chief Executive/Head of Fund).

Community Festivals Fund – Form of Acceptance

Belfast City Council

Information required by the Department of Culture, Arts and Leisure for grant funding requests:

Council Authorised Officers

Name and position (Block Capitals)

Signature

Bank Account details

Bank name:

Branch Address:

Bank account name:

Bank account number:

Bank sort code:

Signed

Date

(Belfast City Council)

Community Festivals Fund – Drawdown Request

GUIDANCE FOR COMPLETION

Please note:

Financial assistance will be paid on receipt of a certified claim giving details of expenditure incurred, in the form of a report listing the festivals funded and awards made. Administration costs are required to be shown separately and the grant aid on this will not exceed 10% of the total grant.

The attached draw down request form should be used.

The Council will also submit with their claim the projected spend for the next quarter

Any pressures or easements concerning the Fund must be notified to the Department as soon as possible.

Community Festivals Fund – Drawdown Request

DECLARATION

I HEREBY APPLY on behalf of Belfast City Council for payment of grant from the Department of Culture Arts and Leisure in accordance with the Letter of Offer dated/...../.....

I DECLARE THAT:

1. The expenditure detailed for funding of community festivals is correct;
2. The Council has paid or has contracted to pay the sums stated;
3. I understand that providing wrong or deliberately misleading information is an offence, and such information may be used in any subsequent criminal investigation. I also understand that the information provided in this form may be made available to other Departments/Agencies for the purpose of preventing or detecting crime;
4. I hereby certify that the conditions applying to the grant have been duly observed.

Signed: _____

Name (Block capitals):

Position in Organisation:

Date

(The signature should be that of an authorised officer)

FALSE STATEMENTS CAN RESULT IN PROSECUTION

Community Festivals Fund – Drawdown request

SUMMARY OF CLAIM

To cover Period: –

List of community festivals funded	Award made £
(a) Total expenditure on community festivals	£
(b) 50% drawdown from DCAL	£
(c) Expenditure on CFF administration	£
(d) Drawdown from DCAL (max 10% of b)	£
(e) Total Drawdown this period (b+d)	£
(f) Cumulative drawdown 2009/10	£
(g) Remaining balance 2009/10	£

Community Festivals Fund – Drawdown request

FORECAST GRANT PAYMENTS

To cover Period: –

<u>Community Festivals</u>	<u>Forecast Payment</u>
List Event	£

Total Forecast Payments:	£
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DCAL contribution (50%)	£
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