



Llywodraeth Cymru
Welsh Government

Newtown and Llanllwchaearn Town
Council (N<C)
Brisco House,
The Cross,
Broad Street,
Newtown,
Powys,
SY16 2BB

12 March 2021

Dear Sirs

Variation to: Grant Award in respect of Circular Economy Fund – Financial Year 2020/2021 Project Title and Reference Number - Award of Funding in relation to Covid Reconstruction: Repair and Re-use Activities in Welsh Town Centres - Application Number 330 - COLCP

This letter follows receipt of a request to vary the terms and conditions associated with the Award of Funding.

This letter sets out the variations that we have agreed to the terms of the Funding Letter.

1. The following definition shall be included in Condition 3

‘Contract’ is to the signed contract(s) entered into by you in relation to the works required to achieve the Purposes.

2. A new Condition 5(a) (v) will be inserted to read:

documentary evidence that you have entered into the Contract

3. Condition 6(a) shall be deleted and replaced with “The Funding will be paid to you in arrears based on Costs Incurred by you in the delivery of the Purposes and, for the 2020-21 profiled spend only, can be paid to you subject to written confirmation that you have entered into the Contract. The Funding

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We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.



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is to be held by you for release to the contractor or third party grant recipient once the expenditure has been incurred.”

4. Schedule 4 sets out the requirements for the payment to be released. (Annex 2 to this letter.)

5. A new Condition 7 (h) will be inserted to read:

notify us of any funding received by you from any source in relation to the effects of the spread of the Coronavirus (COVID-19) including but not limited to your insurance provider (cancellation/business disruption insurance), the UK Government’s Coronavirus Job Retention Scheme and/or any Welsh Government fund/scheme;

6. A new condition 8 (f) will be inserted to read:

acceptance of this award of Funding will not result in duplicate funding in respect of any part of the Purposes. This includes but is not limited to any payments received by you in relation to the effects of the spread of the Coronavirus (COVID-19) from your insurance provider (cancellation/business disruption insurance), the UK Government’s Coronavirus Job Retention Scheme and/or any Welsh Government fund/scheme.

7. Schedule 3 (Notification Events) shall be replaced with Schedule 3 (Notification Events) set out in Annex 1 to this letter.

All other terms and conditions in the Funding Letter will remain in full force and effect.

To accept the amendment set out in this letter please sign the duplicate copy of this letter and return it to the Welsh Government Official within 14 days of the date of this letter.

Yours sincerely



Signed by Rhodri Asby
Deputy Director Resource Efficiency and Circular Economy
Under authority of the Minister for Environment, Energy and Rural Affairs

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We hereby accept this variation to the award of Funding under **Award of Funding in relation to Covid Reconstruction: Repair and Re-use Activities in Welsh Town Centres - Application Number 330 - COLCP** and the Conditions relating to the Funding

_____ Signature

_____ Name

An authorised signatory of **Newtown and Llanllwchaiarn Town Council (N<C)**.

_____ Job Title

_____ Date

_____ Signature

_____ Name

An authorised signatory of **Newtown and Llanllwchaiarn Town Council (N<C)**.

_____ Job Title

_____ Date

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Annexe 1

SCHEDULE 3 Notification Events

The Notification Events referred to in Condition 9 are listed below:

1. repayment of any part of the Funding is required under European Law (whether under State Aid Rules or otherwise);
2. you fail to comply with any of the Conditions;
3. the Funding, in full or in part, is not being used for the Purposes;
4. you fail to achieve any or all of the Targets;
5. there is unsatisfactory progress towards completing the Purposes, including meeting the Targets;
6. you fail to provide information about the Purposes requested by us, the European Commission or the European Court of Auditors, or any of their auditors, agents or representatives;
7. we have reason to believe that you and/or any of your Personnel are involved in fraudulent activity or have been involved in fraudulent activity whilst the Purposes are/were being carried out;
8. we have made an overpayment of Funding to you;
9. there is a duplication of funding in respect of any part of the Purposes. This includes but is not limited to any payments received by you in relation to the effects

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of the spread of the Coronavirus (COVID-19) from your insurance provider (cancellation/business disruption insurance), the UK Government's Coronavirus Job Retention Scheme and/or any Welsh Government fund / scheme;

10. any declaration made in Condition 8 is incorrect in any respect or, if repeated at any time with reference to the facts and circumstances then existing, would be incorrect;

11. there is a change in your constitution, status, control or ownership and/or your external auditors resign;

12. any event occurs or circumstances arise which in our opinion gives reasonable grounds for believing that you may not, or may be unable, to perform or comply with any of your obligations under these Conditions.

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Annexe 2

SCHEDULE 4 (refer to Conditions 5(b), 6(a) and (b))

Project Reference	Amount	Last Date for Claim	Documentary Evidence Required
	As per original grant award letter	15 March 2021	Completed and Signed Claim Form. Progress report, evidence of spend and/or evidence you have entered into the Contract to deliver the purposes

The payment of the Funding noted above will be subject to the following conditions:

- If, on completion of the Purposes, there is a reduction in the overall total cost, the payment will be pro rata reduced to reflect the overall savings;
- Where applicable the claim for the Funding must reflect the retention sum held in accordance with the valuation certificate and may be claimed at the date it is due. The value of the retention must, however, in the first instance be claimed as an accrual so that it can be set against the budget for the financial year in which the costs have been incurred.

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