Department of Agriculture, Environment and Rural Affairs
www.daera-ni.gov.uk

Dundonald House
Upper Newtownards Road
Ballymiscaw
Belfast BT4 3SB

Rural Tourism Scheme Letter of Offer

DAERA Business No: 654890

Mid Ulster District Council

Application Reference No. 0009

76 - 78 Burn Road

Cookstown

Date: 01/03/2019

Co Tyrone

BT80 8DT

Northern Ireland Rural Development Programme 2014-2020,
Priority 6 Letter of Offer Contract

I am pleased to inform you that the Department of Agriculture Environment and Rural Affairs has approved your application for grant aid for the implementation of the following project:

Davagh Forest Outdoor Visitor Experience

which will be situated at the following location:

Davagh Forest Park, Davagh Road, Cookstown, Co Tyrone, BT79 8JH

You are offered grant aid under Priority 6 of the Northern Ireland Rural Development Programme:

a) of up to a maximum amount of £ 485,400.00

b) from the Rural Tourism Scheme.

This offer of up to £ 485,400.00 is equivalent to € 555,752.74 and has been classified as Non State Aid. Under EC regulations you must retain this Letter of Offer for a minimum period of three years from the date of this offer.

This grant aid is provided through the Northern Ireland Rural Development Programme which is funded by the European Agricultural Fund for Rural Development ("EAFRD") and the Department of Agriculture, Environment and Rural Affairs ("DAERA").

This Letter of Offer is subject to the availability of funding from the European Commission and DAERA; and your compliance with the following:

(i) the conditions specific to your project, as contained in this offer and listed at Annex 1;

(ii) the 'Terms and Conditions of Grant Aid' set out in the enclosed booklet;

(iii) receipt of the official claim forms as provided at Annex 4

The offer is provided specifically to fund:

(iv) the project described in your Application Form, Reference No. 0009

(v) the project objective and associated key tasks as listed at Annex 1 to this offer;

(vi) the schedule of eligible expenditure as detailed at Annex 2;

(Note: Any work started or items purchased before the Project Start Date, shall be deemed ineligible for payment of grant aid and may render the project ineligible).

(vii) the projected scheme targets to be achieved by implementation of the project as detailed in the letter of offer.

The start date for the project will be the date of this Letter of Offer, provided DAERA has received your completed Form of Acceptance within 28 days of this date. The end date for the project is 01/09/2020 . The final project end date may only be extended in exceptional circumstances and with prior written agreement of DAERA.

Final claims for reimbursement of expenditure under this Letter of Offer must be made to DAERA *within* 28 days of the project end date, unless previously agreed otherwise in writing with DAERA.

This Letter of Offer, which incorporates the information included in your application form and the 'Terms and Conditions of Grant Aid' booklet, is a legally binding contract, enforceable in law, between you and DAERA. Any project activity or expenditure that is in breach of the Letter of Offer and the Terms and Conditions Booklet will render the project ineligible and no grant aid will be payable. You should note that the compliance obligations to which you are agreeing under this Letter of Offer shall remain in place for a period of five years following the date of final payment or, where the project involves the purchase, building, development/refurbishment of property or land for which a legal charge is required, the conditions shall remain in place for a period of 10 years. Therefore, before accepting this offer of grant aid, you should ensure that you fully understand the conditions, responsibilities and liabilities to which you are agreeing. In this respect, it may be prudent to discuss the contract with your legal advisor.

This Letter of Offer and Form of Acceptance is issued in duplicate. Should you wish to take up the offer of grant-aid, on the terms and conditions stated, you should complete and sign both Forms of Acceptance and return one full set of Letter of Offer papers to me at DAERA. The other full set of Letter of Offer papers including the 2nd signed Form of Acceptance should be retained for your own records.

The Form of Acceptance must be completed by a duly authorised representative of the applicant and returned to DAERA within 28 days from the date of this letter. If not signed and returned within this timescale, the offer will be deemed to have been withdrawn.

All queries about the administration of the Programme and /or this Letter of Offer should, in the first instance, be directed to :-

DAERA officer	Pauline Donaldson
Telephone	028 82253416
E-mail	pauline.donaldson@daera-ni.gov.uk

Finally, on behalf of DAERA I would take this opportunity to thank you for your interest in the Rural Development Programme and wish you every success with your project.

Yours sincerely

Paul Donnelly

Paul Donnelly
Director of Rural Development

Form of Acceptance

Application Reference No: 0009

Name of Project:

Davagh Forest Outdoor Visitor Experience

Address of Applicant: 76 - 78 Burn Road
Cookstown
Co Tyrone
BT80 8DT

Address of Project:

Davagh Forest Park, Davagh Road, Cookstown, Co Tyrone, BT79 8JH

I have read and understand the Letter of Offer Contract and the Terms and Conditions of Grant Aid Booklet (a copy of which I have retained). I accept the offer of grant aid for project Application Reference No. 0009 from DAERA on the conditions set out within the Letter of Offer and the Terms and Conditions of Grant Aid booklet.

I confirm that:

i. I am the person legally empowered to enter into this contract;

ii. the information submitted on Application Reference No. 0009 is true and complete;

iii. all previous public funding received over the 3 year period prior to the date of this Letter of Offer has been declared;

iv. I have received and understand the Letter of Offer attachments detailing the items to be grant aided and the project objective, key tasks and scheme targets to be achieved;

v. I understand that failing to achieve the agreed project objective or key tasks and/or the projected scheme targets may result in exclusion from future funding opportunities;

vi. the project is dependent upon and could not proceed at this time without grant aid being made available from the Rural Development Programme;

vii. I will repay on written demand any grant aid received where the terms and conditions of the offer are adjudged, by DAERA, to have been breached;

viii. a representative of DAERA met with Council officials and explained my rights and responsibilities attendant to my acceptance of this Letter of Offer, and I hereby accept the said offer of grant aid upon and subject to the terms and conditions herein and in the Terms and Conditions Booklet.

I, understand that as a legally empowered representative of
Mid Ulster District Council

ix. providing wrong or misleading information is an offence, and such information may be used against me in any subsequent criminal investigation;

x. that part or all of this information will be held on computer and will be used for the administration of the applications and for monitoring and evaluation purposes;

xi. that DAERA has the right to share this information with other departments, agencies, and implementing bodies to enable them to prevent fraudulent applications or for detecting crime and to co-ordinate processing of complementary applications; and

xii. that DAERA may also use this information for other legitimate purposes in line with the Data Protection Act 1998 and Freedom of Information legislation.

Signed as Accepted by Applicant:	[signature]	**Date :**	4/3/19.
Name of Applicant:	Mid Ulster District Council	**Position held:**	Director of Business and Communities
Name of co-applicant *(if applicable*			

(For Official Use Only)

This form of acceptance, duly signed by the Applicant, has been reviewed on behalf of DAERA.

Signature:.. **Date:**...............................

Application Reference No. 0009	LoO Date 01/03/2019

Annex 1

Project Schedule of Key Tasks, Timescales and Special Conditions

Grant Offer and Project Details

Grant Offer to: Mid Ulster District Council

Address: 76 - 78 Burn Road
Cookstown
Co Tyrone
BT80 8DT

Grant Offer from: Department of Agriculture Environment and Rural Affairs

NIRDP, Priority 6: Rural Tourism Scheme

Project Name: Davagh Forest Outdoor Visitor Experience

Address of Project: Davagh Forest Park, Davagh Road, Cookstown, Co Tyrone, BT79 8JH

Grant Awarded: £ 485,400.00

Project Objective:

Construction of Davagh Forest Outdoor Experience

Key Tasks necessary to complete the project are:

1) Appoint agreed contractor within 12 weeks of the date of acceptance of this letter of offer.
2) All construction works to be complete by 01/09/2020.
3)
4)
5)

Application Reference No. 0009	LoO Date 01/03/2019

Special Conditions of Grant Offer and Payment Specific to this Project are:

1) Schedule for staged payments must be agreed between Council and DAERA before first payment is made.

2) The Outdoor Experience must be operational for a minimum of 10 years from the date of completion.

3) Any cost overrun in the delivery of the project will be met by Council.

4)

5)

6)

7)

8)

9)

Timescales for the Project are:

Project Start Date: This is the date of this Letter of Offer, provided DAERA has received your completed Form of Acceptance within 28 days from this date.
(Note: Any work started or items purchased before the Project Start Date, shall be deemed ineligible for payment of grant aid and may render the project ineligible).

Project End Date: 01/09/2020

Final Claim for Payment of Grant Aid: 01/11/2020

Failure to adhere to the agreed timescales for completing the project or for claiming payment of the grant aid offered will result in a reduction in the amount of grant aid that can be paid or withdrawal of the full Letter of Offer.

Please Note: The Project End Date is the date you agreed with DAERA for the completion and payment of all items as listed in Annex 2.

Annex 2

Schedule of Eligible Expenditure

Project Name: Davagh Forest Outdoor Visitor Experience

Applicant Name: Mid Ulster District Council

Your offer of grant aid is allocated for specific items only, as detailed in the table below. If the actual cost of procuring any individual item turns out to be greater than that estimated below, the grant amount payable to you will not increase. If the actual cost is lower than the estimated cost below, the grant amount payable to you will be reduced accordingly.

Item	Capital or Resource	Completion Date for each Item	Total Cost of Item (Ex VAT) £	Grant Rate %	Max Grant Amount Payable £
Construction of Davagh Forest Outdoor Visitor Experience	Capital	01/09/2020	£ 647,200.00	75	£ 485,400.00

Annex 2

Schedule of Eligible Expenditure Continued

Please Note :

As you are registered for VAT, the amount of grant payable will be exclusive of VAT.

Item	Capital or Resource	Completion Date for each Item	Total Cost of Item (Ex VAT) £	Grant Rate %	Max Grant Amount Payable £

Total £ £ 485,400.00

Failure to adhere to the agreed timescales for completion of the above items may result in a reduction in the amount of grant aid that can be paid or withdrawal of the full Letter of Offer. Any potential problems/delays must be notified to DAERA immediately.

Application Reference No. 0009	LoO Date 01/03/2019

Annex 3

Scheme Targets to Be Achieved As A Result Of Grant Award

Below is a list of the scheme targets you projected would be achieved if grant was provided to help you carry out your project. In order to assess and record progress with achievement of these targets, you will be contacted every 6 months by DAERA. All scheme targets declared as achieved by you in relation to this project will be verified by DAERA. In addition to this, DAERA will send you a Post Project Evaluation form which you must complete and submit to DAERA no later than 2 years following your project end date.

To assist DAERA with an evaluation of the Northern Ireland Rural Development Programme you are also required to provide DAERA with gender and age grouping details for the following beneficiaries of the grant aid, if applicable:

(i) yourself and, business partner/partners, (not employees);
(ii) additional employees (new jobs created as a result of the grant aid being awarded); and
(iii) participants completing bespoke training activities.

Scheme targets to be achieved through the Implementation of this Project are:

Scheme Target	Value
Number of rural tourism actions/operations supported	1
Number of FTE equivalent jobs created	0
Number of people benefitting from improved tourism infrastructure	18,000
Number of out of state visitors	9,000

How to make a Claim for Payment of Grant.

1. <u>Page 1 (Payment Authorisation Form)</u>
The applicant reference number, DAERA Business ID number, name of claimant (applicant as it is written on your Letter of Offer), address, and telephone number have been printed on your claim form. You must confirm your VAT status and VAT registration number and complete the number of pages used.

2. <u>Page 2 and 3 (Details of Expenditure Incurred)</u>
Column A – Enter a description of the expenditure item as stated on the schedule of eligible items in your Letter of Offer.

Column B – Enter the date of the invoice.

Column C – Enter the supplier's invoice number.

Column D - Enter the date when you paid the invoice.

Column E – Enter the name and address of the supplier/contractor.

Column F – Enter the cost of the item(s) purchased excluding VAT.

Column G – Enter the amount of VAT charged on the item(s).

Column H – Enter the total cost of the item(s) including VAT.

Column I – Enter your cheque number or the BACS transfer number used to pay the invoice.

Column J – Completed by DAERA when verifying the project bank account transactions.

3. <u>Page 4 (Claim Summary and Declaration)</u>
Complete the date of the claim.
Complete details of the items you are claiming grant for

Column K – Enter the total cost of all the invoices, **excluding VAT** which relate to each item on your schedule of eligible costs.

Column L – Enter the total cost of the VAT of all the invoices from column K.

Column M – Enter the total cost **including VAT** of all the invoices from column K.

Column N - Enter the percentage grant rate applying to the item. This can be found on the schedule of eligible items in your Letter of Offer.

Column O – Calculate the amount of the claimed expenditure bearing in mind the maximum grant amount offered for each item on the Schedule of Eligible Costs – see note below.

VAT registered – Multiply column K (cost excluding VAT) by the percentage grant rate in column N.

Not VAT registered – Multiply column M (cost including VAT) by the percentage grant rate in column N.

<u>Important - you must not claim more than the grant which has been offered for each item on your schedule of eligible costs.</u>

In the last row total the amount of grant expenditure which you are claiming. This **must not** be more than the amount of grant offered in your Letter of Offer. Finally please read, sign and date the declaration including your name in print and your position within the company.

What documents do I need to send with my claim forms?

4. **Invoices.**

These must
- be original and not photocopies,
- be addressed to the business / project or individual named in your Letter of Offer,
- show the supplier's name, address, telephone number and VAT Reg. No.,
- have VAT charged separately,
- show details of the goods or services charged including quantities, unit costs, delivery costs and any discount,
- Have labour costs showing dates the work was carried out, number of hours worked and cost per hour.

5. **Proof of payment**

It is important that you prove that you have paid the invoices in one of the following ways,

- the original invoice, with the bank statement showing the cheque number or direct debit and the amount clearing the bank.
  If payment is made by cheque, a copy of the cheque issued must be provided.
- The original credit card statement showing that the full amount of the item being funded has been paid and supporting bank statement showing payment.

Please note – You will need to supply a written explanation if the amount shown on the receipted invoice, receipt, copy cheque, or bank statement differs from the amount on the invoice.

6. **Procurement**

To prove that you have followed the procurement requirements set out in your Letter of Offer you must send the original documentation relevant to the Procurement undertaken for your project as outlined in the Applicant Procurement Guidance document (Section 16).

7. **Agreed Scheme Targets**

DAERA will verify details of targets achieved to date and associated beneficiary details at the pre-payment site visit

Disallowance, reduction or recovery of grant

The grant which you have claimed may be disallowed, reduced or recovered if:

- You have not returned a signed acceptance of the conditions in your Letter of Offer,
- Items for which you are claiming were purchased before your Project Start Date or after the Project End date,
- The work for which you are claiming was carried out before your Project Start Date or after the Project End date,
- The work being claimed has not been carried out to the correct standard,
- You have failed to follow the terms of the scheme or the conditions in your Letter of Offer,
- You have not sent the correct original documents to support the claim,
- You have claimed for items which were not agreed in your Letter of Offer. **Please note the schedule of eligible expenditure in your Letter of Offer gives details of the items for which you can claim grant aid.**
- The item which you are claiming exceeds the expenditure limit in your Letter of Offer.
- You have not followed the procurement procedures.
- The item claimed is not in use or is not being used for the purpose intended in your grant application.
- The items which you are claiming have been applied for or claimed under other schemes or funding bodies.
- You knowingly make a false or misleading statement or withhold essential information.
- You do not allow access to your premises to authorised officers from the Department, Northern Ireland Audit Office or the European Commission to inspect the items funded.

Important Information

The amount of grant payable to you will be for those items which are eligible according to the scheme rules and conditions in your Letter of Offer.

If you include items in your claim which are ineligible for funding a penalty will be applied.

You will not be paid for the ineligible items and your claim will be further reduced by a penalty.

Payment Authorisation Form

Application Reference No: 0009

DAERA Business No: 654890

Name and Address of Claimant:

Mid Ulster District Council
76 - 78 Burn Road
Cookstown
Co Tyrone
BT80 8DT

Telephone Number: 03000 132 132

VAT Registered: Yes (   )   No (   )

VAT Reg. Number: ____________________

Number of Pages Used : ____________

Section to be completed by DAERA Project Officer

Date of Vouching: ____________________

Vouching carried out by: ____________________ **(Printed)**
____________________ **(Signature)**

Claim checked by: ____________________ **(Printed)**
____________________ **(Signature)**

Grant expenditure claimed	£
Ineligible expenditure deducted	£
Penalty deducted (If applicable)	£
Approved payment	£

Irregularity check completed for ineligible expenditure and any applied penalties?: Yes (   )   No (   )

Stage 1 Project Monitoring Recorded on Database?
Yes (   )   No (   )

Database fully completed? Yes (   )   No (   )

Approved for Payment: ____________________ **(Printed)**
____________________ **(Signature)**
Date Approved: ____________________ **(Date)**

Application Reference No. 0009	LoO Date 01/03/2019

DETAILS OF ELIGIBLE EXPENDITURE WHICH HAS BEEN INCURRED

Application Reference Number: 0009 **Date of Claim:** __________ **Page** ____ **of** ____

A **Grant Aided Item** *(State clearly the nature of product/service)*	B **Date of Invoice**	C **Invoice Number**	D **Date of payment**	E **Name and address of supplier/ contractor** (Please give address of company's registered office)	F **Net cost (ex.VAT) £**	G **Amount of VAT £**	H **Total Payment £**	I **Cheque No or BACS issued to supplier**	J **Office Use** **Date Transaction through PP Bank Account**
				SUB TOTAL / TOTAL* **(*Delete as appropriate)**					

DETAILS OF ELIGIBLE EXPENDITURE WHICH HAS BEEN INCURRED

Application Reference Number: 0009 **Date of Claim:** __________ **Page** ____ **of** ____

A **Grant Aided Item** *(State clearly the nature of product/service)*	B **Date of Invoice**	C **Invoice Number**	D **Date of payment**	E **Name and address of supplier/ contractor** (Please give address of company's registered office)	F **Net cost (ex.VAT) £**	G **Amount of VAT £**	H **Total Payment £**	I **Cheque No or BACS issued to supplier**	J **<u>Office Use</u> Date Transaction through PP Bank Account**
				SUB TOTAL / TOTAL* (*Delete as appropriate)					

CLAIM SUMMARY AND DECLARATION TO BE SIGNED BY CLAIMANT

Application Reference No. 0009 **Date of Claim:** ____________

Item Detailed on Schedule	K Net cost ex VAT £	L VAT Amount £	M Total Payment £	N LoO Grant Rate %	O Grant Expenditure claimed £
				Total £	

I DECLARE THAT:

1. This claim complies with the Letter of Offer Contract ;
2. I have paid the sums stated which are supported by the enclosed original invoices;
3. No sum included in this claim has been included in any previous claim;
4. Sums included in this claim which have been included in claims to other funding bodies have been identified;
5. Any assets included in this claim are my property or those of the business, Partnership Group, Association (or other) as detailed in the application;
6. No asset included in this claim or any previous claim under the present offer of assistance has been sold or disposed of in any way;
7. I have followed the Applicant Procurement Guidance rules for the purchase of goods and services as detailed in this claim;
8. I enclose copies of the relevant statutory controls/permissions for this project (if applicable); and
9. I declare that the project named in the Letter of Offer is/is not* (*delete as appropriate) registered for VAT. VAT Registration number ________

Signed: ____________________ Date: ____________________

Printed: ____________________________ **Position:** ____________________________