



## **LOCAL GOVERNMENT PFI DECLINING BALANCE GRANT DETERMINATION (No 1) 2009 (31/1353)**

Sadiq Khan, Parliamentary Under Secretary of State at the Communities and Local Government Department (“the Parliamentary Under Secretary”), in exercise of the powers conferred on him by section 31 of the Local Government Act 2003, hereby makes the following determination:-

### **Citation**

- 1) This determination may be cited as the Local Government PFI Declining Balance Grant Determination (No 1) 2009 (31/1353)

### **Purpose of the grant**

- 2) The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred by them up to 31 March 2010.

### **Determination**

- 3) The Parliamentary Under Secretary determines as the authorities to which grant is to be paid, the authorities named in Annex A, and that the amount of grant to be paid to each authority will be calculated in accordance with the methodology set out in Annex B.

### **Treasury consent**

- 4) Before making this determination in relation to local authorities in England, the Parliamentary Under Secretary obtained the consent of the Treasury.

### **Grant conditions**

- 5) Pursuant to section 31(3) and (4) of the Local Government Act 2003, the Parliamentary Under Secretary determines that the grant will be paid subject to the conditions in Annex C.

Signed by authority of the Parliamentary Under Secretary

A handwritten signature in black ink that reads "John Garrity".

John Garrity

A senior civil servant within the Community and Local Government department

31 March 2009

## **ANNEX A**

### **Local Authorities**

The Council of the London Borough of Bexley  
Cambridgeshire County Council  
Cleveland Police Authority  
Derby City Council  
Dudley Metropolitan Borough Council  
East London Waste Authority (ELWA)  
Essex County Council  
Kent County Council  
The Council of the London Borough of Harrow  
The Council of the London Borough of Hillingdon  
Norfolk Police Authority  
Nottinghamshire Police Authority  
Salford Metropolitan Borough Council

## ANNEX B

### CALCULATION OF GRANT

1. The amount payable to the authority in 2009/10 in respect of a project where grant was paid in 2008/09 will be calculated as follows:

$$\text{Grant} = G \times 0.96$$

where  $G$  = grant paid in 2008/09 under the Local Government PFI Declining Balance Grant Determination (No 1) 2008 [No 31/1048] dated 31 March 2008.

## **ANNEX C**

### **GRANT CONDITIONS**

1. In this Annex:
  - a) “eligible project” means a PFI project which has been issued with a PFI credit letter from a central government department, and in respect of which the local authority has notified the Parliamentary Under Secretary that it wishes to be paid grant on a declining balance basis, i.e. in accordance with the methodology set out in Annex B;
  - b) “PFI grant” means grant paid in respect of an eligible project during the financial year 2008/09 under the Local Government PFI Declining Balance Grant Determination (No 1) 2008 [No 31/1048] dated 31 March 2008;
2. Payment of grant under this Determination will be made in respect of an eligible project which has previously received PFI grant. No claim needs to be submitted. Grant will be paid by four equal quarterly payments at the end of each quarter. The first quarter will commence on 1 April 2009.
3. The authority must share experience and final contract documentation (excluding any information of genuine commercial sensitivity), at no cost, with other local authorities procuring similar projects, with Government departments and with the Public Private Partnerships Programme (“the 4ps”).
4. If an authority fails to comply with any of these conditions or if an overpayment is made under this grant or any amount is paid in error, the Parliamentary Under Secretary may require the repayment of the whole or part of the grant monies paid, as may be determined by the Parliamentary Under Secretary and notified in writing to the authority. Such sum as has been notified shall immediately become repayable to the Parliamentary Under Secretary.