Brexit Adjustment: Local Authority Marine Infrastructure Scheme 2022-2023

Introduction

This Scheme is exclusively aimed at coastal local authorities which have eligible projects that meet the criteria set out in this scheme for funding including in relation to co-funding by the local authority itself. The Scheme has been designed having regard to the recommendations of the Seafood Taskforce on immediate measures to mitigate the impacts of the fish quota share reductions arising from the EU/UK Trade & Cooperation Agreement (TCA) on the Irish Fishing industry and on the coastal communities that depend on fisheries. Expenditure under this scheme will be proposed for funding under the Brexit Adjustment Reserve.

Purpose of the Scheme

Post Brexit regeneration has been identified by the Seafood Taskforce as a key enabler for offsetting the implications of Brexit on the Irish fishing industry. In its report the Taskforce noted that many coastal structures, which are both important landmarks and facilities to the local communities, have declined in structural integrity and effective use over the years. Innovative restoration to deliver benefits to smaller and often remote communities is therefore a key objective of this Scheme. Accordingly, the Seafood Taskforce recommended that the Brexit Adjustment Reserve be used to fund rejuvenation of Ireland's coastal and marine infrastructure specifically to address the economic consequences of Brexit arising from the implications to the Irish fishing industry. Structures which will be eligible for funding may be developed to become different in nature to their original functionality; in such cases the wider functionality being facilitated must demonstrate economic diversification opportunities for the relevant community, including opportunities associated with aquaculture, leisure, tourism and recreational uses.

In recognition of the need to drive diversification opportunities to offset the implications of Brexit on the Irish fishing industry (and thereby on the coastal communities which are dependent on the economic activity from that industry), the funding rate offered in this scheme is provided at a maximum of 85% of the eligible project for projects of up to €1m in value and up to 90% for larger projects (capped at €20m). The Seafood Taskforce recommended that the Scheme focus on small-scale 'shovel-ready' projects to give immediate construction stimulus to the coastal communities affected by the TCA.

The objective of the Brexit Adjustment Reserve is to provide support to counter the adverse economic, social, territorial and, where appropriate, environmental consequences of the withdrawal of the United Kingdom from the Union in Member States, including their regions and local communities, and sectors, in particular in those that are most adversely affected by the withdrawal, and to mitigate the related negative impact on the economic, social and territorial cohesion. This Scheme is designed to support economic sectors, businesses and local communities and to support job creation and protection by distributing BAR funds to enhance, upgrade, modernise and develop Ireland's publicly owned coastal and marine infrastructure to facilitate diversification of economic opportunities.

Invitation to submit proposals

Coastal local authorities are invited to submit proposals for the improvement, enhancement and/or upgrading of coastal/marine infrastructure in the local authority's ownership. Projects including roads which connect to such infrastructure, carparks and coastal defence works are not eligible under this Scheme and any associated investments for such facilities are a matter for the local authority within its other funding streams.

Funding Arrangements

Funding support for eligible projects is offered on the following rates:

Maximum Project Budget	**Scheme Funding Rate**	**Local Authority Funding Rate**	**Duration of the project**	**Scheme Prioritisation Criteria**
€0.5m	Up to a maximum of 85%	Minimum of 15%	Must be completed by end of 2023	Shovel-ready. Dependency of local coastal community on fishing activities, in particular the small-scale coastal fisheries sector.
€1.0m	Up to a maximum of 85%	Minimum of 15%	For projects commencing during 2022, where the scale of the project requires works into 2023, a phased project delivery approach may be adopted where clear project milestones can be evidenced.[1] Must be completed by end of 2023.	Shovel-ready. Dependency of local coastal community on fishing activities, in particular the small-scale coastal fisheries sector. Linkage of project to other diversification activities in the local coastal economy.
To be determined having regard to the number of eligible applications	Up to a maximum of 90% (capped at €20m)	Minimum of 10%	Where the scale of the project requires works into 2023, a phased project delivery approach may be adopted where clear project milestones can be evidenced.* Must be completed by end of 2023.	Most adversely affected by Brexit by virtue of: (1) Proximity to UK waters (2) Loss of fishing opportunities

[1] Where projects are approved for 2022 and run into 2023 these will have priority over new applications in 2023, subject to compliance with the conditions of the Scheme.

Eligible Projects

Projects will only be considered eligible under the Scheme if the project is associated with harbour development or marine leisure and comprise of actual works that are clearly associated with shore-based infrastructure such as quays, piers, slipways, floating pontoons and other associated equipment.

- Infrastructure works associated with berthing walls, strengthening of existing piers, piling, pontoons, jetties and slipways
- Dredging to improve/restore safe navigation
- Installation of navigational aids
- Ancillary infrastructure works to improve existing coastal/marine infrastructure including:
    - Electrical power facilities for commercial and leisure marine vessels
    - Access control
    - Port reception facilities as required under the European Union (Port Reception Facilities for the Delivery of Waste from Ships) Regulations 2021
    - Port management facilities for harbour masters, managers or other harbour staff
    - High standard welfare facilities
- Access facilities to pontoons, walkways, gangways
- Dock-edge protection & safety improvements to infrastructure (e.g. handrails, bollards, ladders, rings)
- Operational and safety signage
- Water life-saving enhancements
- Specific launching points for non-propulsion recreational craft (e.g. canoeing, kayaking, paddle boarding)
- Access and on-site equipment and support for persons with disabilities

Funding provided under the Scheme is for the purpose of eligible capital works. Funding for studies, surveys, planning and permit processes, consultants and/or design fees, etc. are not allowable as project costs under this Scheme.

Funding for uninstalled equipment or infrastructure is not allowable as project costs under this Scheme.

All projects must secure appropriate consents under applicable legislation (including concerning environmental assessment, planning, foreshore, etc).

A detailed application form will be required for each project submitted by the Local Authority. The information must include, at a minimum, project location (shown on a map), description of proposed works, nature of works, a description of how the project is envisaged to support the purpose of the Scheme, the total project cost, and demonstrate how the project will comply with the objectives of the Government's Climate Action Plan including having regard to the vulnerability of seafood and marine infrastructure to climate change impacts[†]. The application must also indicate the measures which will be taken to ensure public awareness of the project funding.

[†] EU Technical Guidance may be instructive in this regard: Commission Notice — Technical guidance on the climate proofing of infrastructure in the period 2021-2027 - Publications Office of the EU (europa.eu)

Where more than one project is being proposed by a Local Authority, the applications must be submitted with the priority the Local Authority assigns to each project having regard to the purpose of this Scheme.

Funding is **not** payable in respect of any works undertaken prior to a letter of offer from the Department to the local authority confirming eligibility of the project and setting out the funding to be provided.

The project must be undertaken and managed by the Local Authority.

The project must comply with the Public Spending Code.

The Local Authority must indicate its commitment to proceed with the project within one week of the date of the letter of offer and agree to take responsibility for the completed works.

The Local Authority cannot be in receipt of, nor have an application pending for, funding from any other source for the project.

The project is subject to pre- and post-works inspections by this Department's Engineers and full co-operation regarding site access and any relevant documentation will be required. No development work on the project should commence in advance of the inspection by the Department Engineer.

Additional information may be required from time to time in respect of approved projects. All requests from the Department must be furnished promptly whenever requested.

Full compliance with the financial reporting conditions set out below is required.

Any application failing to meet the above criteria will not be considered for funding and failure to comply with the financial reporting conditions or to alert the Department to significant changes in the scope of the project may result in selected projects subsequently becoming ineligible.

Project Approval

The Department will identify projects which are eligible for funding having regard to the purpose of the Scheme and the criteria set out above. Where the number of projects deemed eligible exceeds the available budget for the Scheme, the Department will identify the projects from each local authority priority list which for which funding will be granted, subject to compliance with the terms of the Scheme.

If the Local Authority **does not intend** to proceed with any approved project this Department must be informed immediately. This is particularly important where there may be opportunity for other priority projects to be funded instead.

Financial reporting conditions

Applications for payment of grant which are not fully completed or not fully supported with the necessary documentation will not be accepted and will be returned to the beneficiary. This Department will require an update on the progress of, and spend on, approved projects during the year. An interim claim form will issue in conjunction with this request and information must be provided relating to all approved projects.

Photographic evidence of completed works must be included with the final claim form, submitted no later than close of business on **4 November 2022** for applications seeking reimbursement by the end of that year. All final claims for payment of the grant aid must be submitted to this Department on the "Application for Payment of Grant" form. Incomplete or

inadequate application forms which require amendment after the 4 November 2022 will not be processed for payment in 2022. A cut-off date for 2023 will be advised at the start of that year.

Please note that failure to comply with any of the conditions/terms outlined above will render the claim for payment for the project ineligible. In the case of projects which are being delivered on a phased basis during 2022 and 2023, any monies not paid by the end of 2023 will not qualify for payment in 2024 or subsequent years as BAR funding will no longer be available. All projects funded must remain in public ownership.

All documents relating to transactions involving expenditure on the approved investment must be retained for 6 years after the completion of the project and made available, if/when required for inspection, to officers of this Department.

The Department of Agriculture, Food and the Marine reserves the right to recoup any payment made which is later found to be in breach of any of the conditions or terms of this scheme.

Funding is **not** payable in respect of any works undertaken prior to the official letter of offer for approved projects.