



Comhshaol, Oidhreacht agus Rialtas Áitiúil
Environment, Heritage and Local Government



Structures At Risk Fund

Circular SRF 1/2011

30 March, 2011



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1. Background

The Department of the Environment, Heritage and Local Government's key areas of responsibility regarding built heritage are to develop, promote and implement policies and legislation for the protection of architectural heritage and to promote best practice in modern architecture. The Department acts on behalf of the Minister in his function as a prescribed body or statutory consultee for the purposes of architectural heritage protection, as is set out in the Planning and Development Acts 2000-2010 and Regulations 2001-2010, and provides a similar role in relation to the Wildlife Acts and the National Monuments Acts 1930-2004.

The Department of the Environment, Heritage and Local Government is introducing a new scheme, entitled the Structures at Risk Fund (SRF), which is to run for the 2011 financial year in the current pausing of the operation of the Civic Structures Conservation Grants Scheme and the Local Authority Conservation Grants Scheme.

2. Purpose of Structures At Risk Fund

The Structures at Risk Fund (SRF) represents a method of prioritisation of funding to ensure that monies are spent in the most efficient way on vulnerable aspects of Ireland's architectural heritage.

The fund is intended to assist with works to safeguard structures protected under the Planning and Development Acts 2000-2010 and, in certain cases, works to structures within Architectural Conservation Areas, where, in the opinion of the Department, an urgent need for works to such structures has arisen and has been demonstrated. **Only structures in immediate danger of significant deterioration will qualify for consideration for funding by the Department.** The fund is not intended to assist in the carrying out of routine maintenance, alterations or improvements.

Due to the limited resources available for the operation of this fund (€650,000) the Department will consider **no more than 2 applications per local authority.** It will be a matter for each local authority to prioritise applications for consideration under the fund.

3. Eligibility

The categories of structures eligible for assistance are as follows:

- (i) Protected structures i.e. those structures included in the Record of Protected Structures of the Planning Authorities; and
- (ii) Structures in ACAs (Architectural Conservation Areas), where exceptional circumstances are deemed by the Department to apply.

4. Qualifying Works

- (i) Works, including temporary works, to remedy the structural stability of a building or part of a building;

- (ii) Works to halt water ingress or saturation of building fabric and to make good damage;
- (iii) Works to remedy serious defects or problems that might grow exponentially if left untreated (such as dry-rot treatment or salt migration); and
- (iv) Works which the Department deems to be of exceptional importance.

Works do not qualify under the scheme, where, in the opinion of the Department:-

- a) they consist of maintenance, alterations or improvements or restoration of character
- b) they are not essential to secure the conservation of the structure
- c) they have an approved cost of less than €3,000
- d) works have commenced before the local authority has carried out an inspection.

5. Operation of Structures at Risk Fund

Applications for assistance under the Structures at Risk Fund must be made to the relevant local authority. Applications judged to meet the criteria as set out in Section 3 and 4 should be submitted by the local authority to the Department of the Environment, Heritage and Local Government for consideration, bearing in mind that the Department will consider no more than two applications per local authority. Local authorities should submit applications for funding to the Department by the deadline of **4pm, 29 April 2011**. In exceptional circumstances the Department may accept applications for consideration after this date but no later than **4pm, 30 September 2011**. The grant award must be claimed within the financial year of the grant offer and by the deadline to be specified by the Department at a later date.

The process is as follows:

5.1 Grant Application

Applications for assistance under the SRF may be made by the owners and occupiers (with the consent of the owner) of eligible structures as outlined in Section 3, to their local authority on Form 1 (See Appendix 2), by a closing date as set by the local authority.

Where applications meet the terms and conditions of the fund an inspection of the eligible structure shall be carried out by the local authority's Architectural Conservation Officer or where a Conservation Officer is not employed by a designated member of the authority's professional staff competent to carry out this function.

The works proposed in such an application under this SRF should be fully described and illustrated in accordance with best practice as outlined in the Department's *Architectural Heritage Protection Guidelines for Planning Authorities* (2004). Local authorities should ensure that any works carried out by the applicants are devised, specified and overseen by appropriately qualified conservation professionals.

Each local authority shall give notice of the SRF on its website, with contact and application form details.

In cases where the structure is in the ownership of a local authority, or where a planning authority is providing financial assistance for works to an endangered structure under section

59 of the Planning and Development Act 2000 or is carrying out or arranging to carry out works to an endangered structure under section 69 and/or section 70 of said Act, the application shall be made to an officer of that authority designated by it for this purpose.

5.2 Assessment of Applications

Applications shall first be assessed in order of need by the local authority's Architectural Conservation Officer or, where a Conservation Officer is not employed, by a designated member of the authority's professional staff competent to carry out this function. The applications should be assessed on the criteria as set out in Appendix 1.

5.3 Grant Approval

Details of prioritised applications should be forwarded by the local authority on Form 2a, together with their assessment reports (Form 2b), to the Department. **Please submit 3 hardcopies of all application forms and supplementary material.**

The Department will carry out inspections of structures being considered or approved for funding as and when it deems necessary.

5.4 Recoupment of grant funding from the DoEHLG

Payments will be made directly to the local authorities who will be responsible for paying the grants to the owners/occupiers of structures approved for funding by the Department under the SRF, where applicable.

A local authority may recoup from the Department the amount of any grant paid by completing and returning Form 3 by the deadline as set by the Department. Form 3 must be verified by the City or County Manager or Director of Services and accompanied by proof of payment e.g. printout from Agresso or similar financial system.

Grant payments must be made before the end of the calendar year; any funds unclaimed at the end of the calendar year will be lost.

6. General Information/Requirements of Fund

6.1 Procurement

The Department of Finance's National *Public Procurement Guidelines* must be followed in respect of the grant administration. All procedures are predicated on compliance with the Capital Works Management Framework 2007, CWMF in relation to current guidelines and thresholds as set out by the Department of Finance regarding tendering, quality, value for money and contract management.

6.2 VAT and Professional Fees

Value Added Tax (VAT) and professional fees are eligible for rebate under this scheme, however, only for the portion of works which is being grant-aided. The cost of VAT is eligible only in circumstances where such VAT is not recoverable by the beneficiary by any means. Other taxes and charges (in particular direct taxes and social security contributions on wages

and salaries) do not constitute eligible expenditure except where they are genuinely and definitively borne by the final beneficiary of the grant.

6.3 Tax Clearance Procedures

A Tax Clearance Certificate (TCC) is required by any entity, group or organisation that does not have charitable status and is in receipt of Government grant funding in excess of €10,000 in any one year. Applications for a TCC may be made on-line at www.revenue.ie and are generally valid for a period of 12 months.

As per Department of Finance Circular 44/2006, any contractor who carries out construction operations greater than the value of €650 is required to provide a Tax Clearance Certificate or C2 Cert to the Organisation/Project Promoter in order to allow full draw down of the grant. This requirement is fully applicable to registered charities. Relevant C2/TCC details of the contractor(s) should be provided to the local authority at the time of grant application and again when claiming the grant if the certificate has expired.

6.4 Matching Funding

Any grant approved under the SRF is required to include matching funding of **at least 20% of total project expenditure, save in exceptional circumstances**. It should be noted that funding from other State sources cannot be used to satisfy the matching expenditure requirement.

6.5 Funding from other Exchequer/EU sources

Where an applicant has applied for or received funding from a scheme financed by the Exchequer or the EU for the works concerned, the aggregate of such funding and the grant under this scheme **must not exceed 80% of the total cost of the works, except in exceptional circumstances**. However, this limit does not prevent a local authority from supplementing the grant under this scheme with funding from its own resources.

6.6 Transfer of ownership/delisting

If the building being grant-aided is deleted from the Record of Protected Structures within a period of 5 years from date of payment of the grant, the local authority reserves the right to receive a “claw-back” of some or all of the grant monies from the proceeds of the sale of the property. In the event of transfer of ownership prior to grant payment, the local authority may make arrangements to transfer the grant to the new owner of the property, if certain conditions are met.

6.7 Statutory requirements

Works for which a grant is being paid must meet all statutory requirements including in particular, the need for planning permission, the need to notify or obtain consent of the Minister where works are proposed to structures protected under the National Monuments Acts 1930-2004, EU Habitats Directives (if applicable), foreshore licenses (if applicable), the Safety, Health and Welfare at Work Act 2005, environmental and employment law.

Confirmation of required Ministerial notifications, consents and planning permissions obtained must be provided by an applicant when making a claim for a grant.

To avoid unreasonable delays in operating the fund, local authorities are requested, as far as is practical, to grant or reject applications for planning permission relating to works approved for funding under this fund as quickly as possible. Where an applicant seeks a declaration under section 57 of the Planning and Development Act to exempt from planning control specific works that are the subject of a grant application, the declaration should be issued as quickly as possible.

6.8 Annual report

A local authority should include information on its operation of the fund in the Annual Report prepared by it under Section 221 of the Local Government Act 2001. The information should include details on the number of applications received, the amount of grants approved, the types of works grant assisted, and so forth.

6.9 Cross check procedures

In addition to the SRF and a thatching grant scheme being administered by the Department in 2011, the Heritage Council is administering a number of conservation grant schemes out of its funding allocation from the Department. In some cases projects may be eligible to receive funding from more than one of these schemes. To ensure that the 80% of the total project cost from public funding, inclusive of VAT, is not exceeded, save for exceptional circumstances, information provided in the Form 1 application form should be cross-checked by the local authority with this Department and the Heritage Council to verify eligibility for this grant.

6.10 Publicity and information requirements

The contribution of the Department should be publicly acknowledged in all advertisements and publicity, and for larger projects included where a notice is erected on site.

6.11 Refund of grant

Any grant funding provided to a local authority which is subsequently recovered under section 70 of the Planning and Development Act 2000 from the owner/occupier of the grant aided structure, must be refunded to the Department of the Environment, Heritage and Local Government.

7. Contacts

For further information required regarding this fund please contact the Built Heritage and Architectural Policy Section, Department of the Environment, Heritage and Local Government, Newtown Road, Wexford email heritagepolicy@environ.ie or Tel. 053-911 7448/7389/7471 or Contact the Planning Section, North Tipperary County Council, Limerick Road, Nenagh, Co. Tipperary email Annette.daly@northtippcoco.ie or Tel. 067 44674.

An Irish version of this circular is available on the Department's website www.environ.ie and on request from the Built Heritage and Architectural Policy Section.

Appendix 1: Qualifying Works

Please refer to the Department's Advice Series publications for more information on best practice, see www.environ.ie

Category	Description	Comment
Professional Fees	Professional fees incurred for the portion of works grant aided to include surveys and method statements indicating methods and sequence of works, on site supervision and monitoring, reasonable travel and subsistence costs and sign off on project.	Eligible in conjunction with the approved works programme only.
Stability	Works essential to make a structure or part of a structure stable	Works must involve the minimum removal or dismantling of historic fabric necessary. Proposals should accompany the grant application on the reinstatement of the fabric.
Roofs	Repair of roof features	Appropriate materials must be used e.g. slate types and slating style; with salvage of slate to be prioritised; appropriate parapet or valley gutters and chimney stacks or pots to be specified. While dormer windows or skylights, cupolas or balustrades should be appropriately repaired where possible, these elements of the work do not qualify.
Rainwater disposal	Necessary repair or replacement of rainwater disposal systems Provision of overflows and weirs to rainwater disposal systems so that, in the case of a blockage, water is visibly shed clear of the structure	Lead and cast iron should be replaced like-for-like. Where theft, vandalism, or maintenance access is problematic, the use of suitable substitute materials may be considered. Snow boards in gutters do not qualify. See 'dampness' below
Lead Work	Necessary renewal of roof lead work Use of lead welding to extend the life of lead of historic interest	While it may be necessary to redesign the substrate to comply with current good practice, the visual and physical implications of this need to be carefully considered before changes are made. Where there is a history of lead theft from a roof, a visually and physically acceptable alternative to lead may be considered.

Walls	Necessary structural repair of external walls	The removal of render from a previously rendered exterior and associated repointing are specifically excluded. Work to wall surfaces and decorative elements on the wall surface, or wall coverings or claddings will not attract funding.
Internal Structure and features	Works to conserve internal floors, ceilings, walls and partitions, doors, floor boarding, wall panelling, plain or decorative plasterwork	Such works qualify only where deemed of exceptional importance by the department.
Dampness	Measures to combat rising or penetrating damp, only where this is directly damaging the fabric or contents of an historic structure	Qualifying work includes the provision of surface water drainage or improved internal ventilation where this is essential. The provision of French drains qualifies, subject to being designed and constructed without adverse impact on the character of the structure. The provision of a damp-proof course simply because the existing structure was built without one, and the provision of dry lining or cement-based and tanking plasters do not qualify.
Windows	Necessary repair of windows and associated elements to halt water ingress.	Fitting draught-proofing and energy-saving measures to the existing window does not qualify. The fitting of double-glazed units to the existing or new window frames does not qualify. Storm glazing does not qualify.
Temporary works	Works to reduce the immediate risk to an unoccupied structure from probable collapse.	Adequate ventilation of the structure must be maintained. Window and door frames should not be filled with concrete block work where this would damage surviving timberwork. Fixtures or features of interest, if removed from the structure for safe keeping, should be stored in a nominated, secure location. Proposals should be submitted prior to final grant payment for more permanent repairs. Inspections of the site by the architectural conservation officer or nominated person should be required at stated intervals.

Appendix 2: Forms

Form 1: SRF 2011 Application Form

Structures at Risk Fund (SRF) 2011

Form 1 - Application Form

(Please complete form in block capitals)

Note: Please read the attached notes carefully before completing the form

Local Authority Name:

1. Applicant

Name: _____

Address: _____

Tel: _____ Email: _____

Charity Number: (if applicable) CHY _____

Tax Clearance Cert Number: _____
(for amounts over €10,000)

Tax Clearance Expiry Date: _____
DD/MM/YY

2. Owner of structure (if not applicant)

Name: _____

Address: _____

Tel: _____ Email: _____

Consent of owner received for application under this scheme:

Yes: No:

3. Structure

Address (if not that of applicant):

Year Built: _____

Existing use: _____

Proposed use (if different): _____

Is the structure: (please tick)

(a) a protected structure

(b) in an architectural conservation area (ACA)

RPS Number: _____

NIAH Number (if any): _____

Rating: _____

4. Proposed works

Description of works for which grant is sought, including details of urgency:

Estimated Total Costs of Works:

€ _____ (excluding VAT)

€ _____ (including VAT)

Is VAT recoverable? Yes: No:

Expected amount of Professional Fees to be paid: € _____

Expected date of commencement of Project: _____ DD/MM/YY

Expected date of completion of Project: _____ DD/MM/YY

Description of other proposed works (if any):

5. Statutory requirements

Planning Permission:

Purpose: _____

Date Granted: _____ DD/MM/YY Ref No: _____

Notification under S. 12 of the National Monuments Acts 1930-2004:

Date of notification: _____ DD/MM/YY

Ministerial Consent:

Purpose: _____

Date Granted: _____ DD/MM/YY Ref No: _____

If foregoing are under appeal, give details: _____

Please list other Statutory Requirements (if applicable): _____

6. Funding

Grant sought: € _____

Source of funding for remainder of project cost:

*Other EU/Exchequer funding applied for: _____

*Other EU/Exchequer funding received or refused: _____

Have the works been or will the works be the subject of a claim for tax relief under section 482 of the Taxes Consolidation Act, 1997? (If yes, please provide details)

Yes No

Details: _____

7. Personnel employed on the project

Conservation Specialist (Architect, etc):

Name: _____ Position: _____

Address: _____

Telephone: _____ Mobile: _____

Tax Ref No: _____ C2 Cert No: _____

Tax Ref Cert. No: _____ Expiry Date: _____
DD/MM/YY

Contractor:

Name: _____

Address: _____

Tax Ref No: _____ C2 Cert. No: _____

Tax Ref Cert. No: _____ Expiry Date: _____
DD/MM/YY

8. Declaration

I certify that: -

- a) I understand and fulfil the terms and conditions of the grant scheme,

- b) The information provided in the application form and supporting documents is correct and I will notify the relevant local authority if there is any change in that information,
- c) My tax affairs are in order, and
- d) I understand that payment of a grant by a local authority under this scheme does not imply a warranty on the part of the authority or the Minister for the Environment, Heritage and Local Government in relation to the suitability or safety of the works concerned or the state of repair or condition of all or any part of the structure concerned or its fitness for use.
- e) I understand that the local authority may make any enquiries that it considers necessary to establish my eligibility for a grant, and that the local authority's decision is final.

*Please note that information provided in this form will be cross-checked with that held by other state agencies (including the Heritage Council) and the Department of the Environment, Heritage and Local Government to verify eligibility for this grant.

Applicant's Signature: _____

Date: _____ **DD/MM/YY**

NOTES

1. The application form must be fully and clearly complete, and must be accompanied by appropriate documents (see 6 below). Incomplete applications will not be accepted.
2. Completed application forms should be submitted to the relevant local authority.
3. Part 3 – Structure
 - If the structure is not at present in use, the last use must be stated.

- If the structure is protected by any legislation other than the Planning Acts (e.g. the National Monuments Acts), this must be stated. “Protected” means required by legislation to be conserved.

4. Part 5 - Statutory Requirements

Where a permission or certificate has been applied for but no decision has been made, or where the decision is under appeal, state this, and the date of application or appeal.

5. Part 6 – Funding

Details of how the cost of the works, other than the amount of the grant sought, is proposed to be funded must be stated. The applicant must indicate the amount of the applicant's personal or business resources being used and any –

- grants, subsidies or assistance from statutory bodies, or
- sponsorship or assistance from a non-statutory source,

received or being sought. Where the applicant is carrying out any part of the works directly, or where they are being undertaken by voluntary means, this must also be stated.

6. **The following must be attached to all applications –**

- Site location map with location of works clearly marked in red
- Written consent of property owner for proposed works (where applicable)
- Copy of planning permission or any other statutory approval already obtained
- A detailed breakdown of the costs of the project, or phase of the project, for which a grant is sought
- Photographs of present condition of proposed works site, dated and mounted or colour copied on A4 paper
- Tax Clearance Certificates (as appropriate)
- Method statement for the works of **not more than 10 pages**, to include an architectural heritage impact statement (i.e. architectural conservation methodology) per structure. The method statement should set out how the work will be done, what materials will be used and how the fabric of the building will be conserved, and include all necessary plans and drawings and supporting visual material such as photographs.

The works should follow the conservation principles in the Department of the Environment, Heritage and Local Government's Architectural Heritage Protection Guidelines for Planning Authorities (2004) and the Department's Advice Series publications.