



EUROPEAN COMMISSION

SECRETARIAT-GENERAL

Brussels, 23/XI/2007

SG-Greffe(2007) D/ **207155**

OFFICE OF THE UNITED
KINGDOM PERMANENT
REPRESENTATIVE TO THE
EUROPEAN UNION
Av. d'Auderghem, 10

1040 BRUXELLES

**Subject : NOTIFICATION PURSUANT TO ARTICLE 254 OF THE EC
TREATY**

**The Secretariat-General would be obliged if you could forward the
enclosed Decision of the Commission to the Secretary of State for
Foreign and Commonwealth Affairs.**

For the Secretary-General


Karl VON KEMPIS

Encl. : C(2007)5762

UK



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22-XI-2007
C(2007) 5762

NOT FOR PUBLICATION

COMMISSION DECISION

of 22-XI-2007

adopting the operational programme for Community assistance from the European Social Fund under the Regional competitiveness and employment objective in the region Lowlands & Uplands Scotland in the United Kingdom

CCI 2007UK052PO002

(ONLY THE ENGLISH TEXT IS AUTHENTIC)

COMMISSION DECISION

of 22-XI-2007

adopting the operational programme for Community assistance from the European Social Fund under the Regional competitiveness and employment objective in the region Lowlands & Uplands Scotland in the United Kingdom

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999¹, and in particular Article 32(5) thereof,

After consulting the Committee set up under Article 147 of the Treaty,

Whereas:

- (1) On 3 April 2007, the United Kingdom submitted to the Commission a proposal for an operational programme for the regions Lowlands & Uplands Scotland fulfilling the conditions for the Regional competitiveness and employment objective pursuant to Article 6 of Regulation (EC) No 1083/2006. At the request of the Commission, the national authorities submitted a second version of the proposal for an operational programme on 18 July 2007 and a third version on 25 September 2007.
- (2) The operational programme has been drawn up by the United Kingdom within the framework of the partnership referred to in Article 11 of Regulation (EC) No 1083/2006.
- (3) The Commission has appraised the proposed operational programme and considers that it contributes to the achievement of the objectives set out in Council Decision 2006/702/EC of 6 October 2006 on the Community strategic guidelines on cohesion² and in the national strategic reference framework³.
- (4) The proposal for an operational programme contains all the components referred to in Article 37(1) of Regulation (EC) No 1083/2006, with the exception of an indicative list of major projects referred to in point (h) of Article 37(1) of that Regulation, as it is not expected that major projects will be submitted under this operational programme.

¹ OJ L 210, 31.7.2006, p. 25. Regulation as amended by Council Regulation (EC) No 1989/2006 (OJ L 411, 30.12.2006, p. 6).

² OJ L 291, 8.10.2006, p. 11.

³ C(2007) 3583, 30.07.2007

- (5) In accordance with Article 37(3) of Regulation (EC) No 1083/2006, the operational programme includes a justification for the thematic, geographical and financial concentration on the priorities laid down in Article 4 of Regulation (EC) No 1081/2006 of the European Parliament and of the Council of 5 July 2006 on the European Social Fund and repealing Regulation (EC) No 1784/1999⁴.
- (6) The operational programme also contains, as referred to in Article 37(7) of Regulation (EC) No 1083/2006, a horizontal approach for interregional and transnational actions involving at least one other Member State.
- (7) It is appropriate to fix the maximum rate and the maximum amount of the contribution from the Funds for the operational programme and each priority axis, as referred to in Article 53(6) of Regulation (EC) No 1083/2006.
- (8) Aid granted under the operational programme should comply with the State aid rules that are in force and any other applicable provision of Community law.
- (9) The proposed operational programme should therefore be adopted,

HAS ADOPTED THIS DECISION:

Article 1

The operational programme for Community assistance under the Regional competitiveness and employment objective in the Lowlands & Uplands Scotland region of the United Kingdom for the programming period 1 January 2007 to 31 December 2013 as set out in Annex I and containing the following priority axes is hereby adopted :

- (1) Priority axis 1 - Progressing into employment
- (2) Priority axis 2 - Progressing through employment
- (3) Priority axis 3 - Improving access to lifelong learning
- (4) Priority axis 4 - Technical Assistance

Article 2

Expenditure actually paid under the operational programme shall be eligible from 1 January 2007.

⁴ OJ L 210, 31.7.2006, p. 12.

Article 3

1. The maximum amount of assistance from the European Social Fund granted under the operational programme, as calculated with reference to the total eligible public and private expenditure, is set at EUR 269 920 942 and the maximum co-financing rate is set at 45,11 %.
2. Within the operational programme referred to in paragraph 1 the maximum amount for assistance and the maximum co-financing rate for each priority axis shall be as set out in the second to fifth subparagraphs of this paragraph.

The maximum co-financing rate for priority axis 1 is set at 45 % and the maximum amount for assistance from the ESF to that priority axis, as calculated with reference to the total eligible public and private expenditure, is set at EUR 121 194 503.

The maximum co-financing rate for priority axis 2 is set at 45 % and the maximum amount for assistance from the ESF to that priority axis, as calculated with reference to the total eligible public and private expenditure, is set at EUR 99 600 827.

The maximum co-financing rate for priority axis 3 is set at 45 % and the maximum amount for assistance from the ESF to that priority axis, as calculated with reference to the total eligible public and private expenditure, is set at EUR 42 647 509.

The maximum co-financing rate for priority axis 4 is set at 50 % and the maximum amount for assistance from the ESF to that priority axis, as calculated with reference to the total eligible public and private expenditure, is set at EUR 6 478 103.

3. The national counterpart of EUR 328 463 795 may be partly met by Community loans from the European Investment Bank (EIB) and other lending instruments, however, for the time being, such loans are not foreseen.
4. The corresponding financing plan is set out in Annex II.

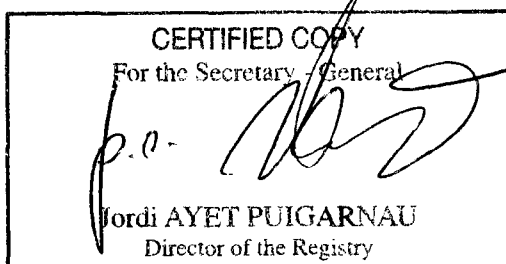
Article 4

Any public support under the operational programme shall comply with the procedural and substantive State aid rules applicable at the time when the public support is granted.

Article 5

This Decision is addressed to the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 22-XI-2007.



For the Commission
Vladimír ŠPIDLA
Member of the Commission



ANNEX I

Operational programme

ANNEX II

Financing plan

Operational Programme

Commission Reference NR: 2007UK052PO002

Version: 1 Status: Admissible Last Modified: 27/09/2007 Decision:

Title: Lowlands and Uplands of Scotland ESF Regional Competitiveness and Employment programme

Period of Eligibility: 01/01/2007 - 31/12/2015

1. Annex 2.1

(in euro)

Regional Competitiveness and Employment	
	Structural Funding (ESF)
2007	36,307,594
2008	37,033,746
2009	37,774,421
2010	38,529,909
2011	39,300,507
2012	40,086,517
2013	40,888,248
Grand Total	269,920,942

2. Annex 2.2

(in euro)

Regional Competitiveness and Employment									
Priority Axis	Fund	Expressed In	Community	National Public	National Private	Total	Cofinancing Rate (%)	EIB	Other
1	2	3	4	5	6	7 = 4 + 5 + 6	8 = 4 / 7 ⁽¹⁾	9 ⁽²⁾	10 ⁽²⁾
1. Progressing Into Employment	ESF	P	121,194,503	148,126,615		269,321,118	45.00%		
2. Progressing Through Employment	ESF	P	99,600,827	121,734,344		221,335,171	45.00%		
3. Improving Access To Lifelong Learning	ESF	P	42,647,509	52,124,733		94,772,242	45.00%		
4. Technical Assistance	ESF	P	6,478,103	6,478,103		12,956,206	50.00%		
Total			269,920,942	328,463,795		598,384,737	45.11%		

⁽¹⁾ The precise rate used to reimburse payments is the ratio between the Community funding and the Total funding.

⁽²⁾ EIB and Other funding are given for information only.