



Lowlands and Uplands Scotland ERDF and ESF Programmes 2007 - 2013 Programme Monitoring Committee

EUROPEAN STRUCTURAL FUNDS PROCESS NOTE 7: EXCEPTIONAL PROJECT PROCEDURE FOR 2007-13 PROGRAMMES REPORT FROM THE SCOTTISH GOVERNMENT

1. Purpose

- 1.1 To request that the Committee consider and approve the proposed procedure for considering time critical projects outwith the standard and agreed application processing and approval timetable.

2. Introduction

- 2.1 It is recognised that there may be special circumstances which prevent an application being submitted within the usual application deadlines, not least with programmes moving onto an annual application cycle. An exceptional procedure needs to be established for such cases, particularly where projects for reasons of economic turmoil, large scale redundancy, market exploitation or private sector co-financing may be time critical. If an applicant believes there is the need and justification for a proposal to be considered in this way, then the following procedure should apply.

3. Procedure

3.1 Initial Request

If a potential project sponsor wants to bring forward an application between project application rounds, then in the first instance, the sponsor must be registered under the 2007-2013 Programmes in the usual way through the €UROSYS on-line system. Once registered, the applicant must then submit the standard Stage 1 application form to the relevant Intermediate Administration Body (IAB) through €UROSYS.

In addition to the usual criteria for projects, this request must address the following issues in the Stage 1 application form:

- 3.1.1 **Time criticality.** The applicant must adequately explain why the project could not be brought forward in the previous round and why it cannot wait until the next round. If the factor relates to match funding, the applicant must demonstrate that the fact the funding was not in place at the previous deadline was outwith their control. The inability to gain statutory approvals,

including full planning permission by the submission deadline is **not acceptable justification.**

3.1.2 **Strategic nature of project.** The applicant must demonstrate that the project is of significant strategic importance in terms of Programme objectives.

3.1.3 **Impacts.** The applicant must clearly demonstrate a significant impact which the project will achieve in relation to the relevant Priority, in addition to the specific targets, outputs and results to be achieved.

Note that the first two criteria above must both be demonstrated for the exceptional procedures to apply, but it is desirable that the third is demonstrated as well.

The Managing Authority will consider the request with the advice of the IAB. Approval to submit a second stage application must be at a senior level in the Managing Authority.

3.2 Application

If the 1st stage is approved, a full Stage 2 application is required. This should be fully completed and be sent to the IAB as soon as possible after the request has been approved (a long delay may be interpreted as undermining the time criticality of the project). The application will have to undergo the standard technical checks including eligibility prior to proceeding further. If the application can be appraised by the relevant Advisory Group with the other projects in that round this should be the preferred option.

3.3 Appraisal

The application will be reviewed, along with the justification, by the relevant priority Advisory Group. The Advisory Group will appraise and score the project using the normal evaluation criteria for project appraisal. The timescales and procedures for appraisal will be set out by the Managing Authority as required, taking account of the overall timescale set in the next section. Advisory Group members will consider the project information and request any additional information they feel necessary and then make a recommendation to the Programme Monitoring Committee (PMC) either along side the other recommendations for that round, or on a different time scale.

3.4 Approval

The Managing Authority will notify PMC members of the Advisory Group recommendation and the PMC will consider, by written procedure if necessary, and make a recommendation on the project to Ministers. As with all Structural Funds projects, the final decision will rest with Ministers.

The exceptional projects procedure should normally take no more than 30 working days from date of submission of the application form to decision.

Where applicants feel that they have been treated unfairly or improperly, they can write to the Chair of the PMC (Head of Division) asking for a review of the fairness of the process.

4. Recommendations

4.1 The Committee is invited to:

4.1.1 consider the proposed procedure to take account of exceptional circumstances and agree the criteria, processing and approval arrangements of time critical projects

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