

The Upcoming January 2024 Guidance Manual Update

Information for EBs on the upcoming changes

1. Introduction

- 1.1. At the December 2023 Entrust board meeting, all proposed amendments to the guidance were approved for inclusion in the January 2024 Manual update, which is scheduled for publication at the end of January 2024.
- 1.2. These amendments are in response to the challenge set by the Entrust Chair to scrutinise our guidance and procedures, aiming to eliminate unnecessary duplication and lessen the administrative load on Environmental Bodies (EBs), all while maintaining the current risk level of regulatory breaches.
- 1.3. As a result, the January 2024 Guidance Manual will incorporate the following revisions. However, some of these amendments necessitate an update to the EOL system. While this is underway, certain changes will not be fully implementable until June 2024. As such, an implementation date is included in the list of changes to clearly indicate when each amendment will become fully effective.

2. List of Changes

Please see the following table which outlines the changes and their implementation:

Manual Ref.	Amendment	Description	Implementation										
5.8	Project Monitoring and Assets	<p>The suggested timeframes to monitor projects are to be amended as follows:</p> <table border="1" data-bbox="645 483 1738 735"> <thead> <tr> <th data-bbox="645 483 1189 533">Value</th> <th data-bbox="1189 483 1738 533">Monitoring requirement</th> </tr> </thead> <tbody> <tr> <td data-bbox="645 533 1189 582">Up to £10,000</td> <td data-bbox="1189 533 1738 582">Confirmation at project completion</td> </tr> <tr> <td data-bbox="645 582 1189 632">Above £10,000 up to £50,000</td> <td data-bbox="1189 582 1738 632">1 Year</td> </tr> <tr> <td data-bbox="645 632 1189 681">Above £50,000 up to £300,000</td> <td data-bbox="1189 632 1738 681">3 Years</td> </tr> <tr> <td data-bbox="645 681 1189 735">Above £300,000</td> <td data-bbox="1189 681 1738 735">5 Years</td> </tr> </tbody> </table> <p>We would not expect EBs to apply this to projects retrospectively due to clarity of signed funding agreements and compliance inspections.</p> <p>In conjunction, asset registers are changing. The Guidance will now refer to these as Registers of Resalable Items (RORI). This is intended to clarify the items that need recording on a RORI for both EBs and compliance inspectors. Land and whole building assets will remain as items that require additional safeguards, with the charge or protection extending at least for the duration of the monitoring period.</p> <p>The EOL system will be amended to remove the requirement to register items as assets on project application and completion forms. Instead, inspectors will review the RORI during a compliance inspection. The Form 9 will only ask for the total amount listed on your RORI for that project.</p> <p>The EOL update, which includes changes to the project application form (Form 2) will be ready for June 2024; however, we will not be pending projects (requesting further info.) for those who choose not to list items as assets on the Form 2 registration from the date of the Guidance Manual update.</p>	Value	Monitoring requirement	Up to £10,000	Confirmation at project completion	Above £10,000 up to £50,000	1 Year	Above £50,000 up to £300,000	3 Years	Above £300,000	5 Years	From January 2024 update—EOL update in June 2024
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		<p>The completion form (Form 9) will need to be completed before the EOL update as before in one of two ways:</p> <ul style="list-style-type: none"> • If the project was approved BEFORE January 2024, continue to complete documentation as was the case previously until June 2024. • For the small number of projects approved AFTER January 2024 that will have a RORI, record a single asset under the most relevant category for the project, labelling the description as "RORI". Then enter the total amount of assets listed in the RORI for that one project. <p>This will act as a similar record to the one going forward on the updated Form 9.</p>	
5.3	Tendering Process	<p>The tendering process guidelines are to be amended as follows:</p> <ul style="list-style-type: none"> • Up to £1,000 – obtain a minimum of one quote/supplier. • Above £1,000 to £25,000 – obtain a minimum of three quotes/suppliers. • Above £25,000 – competitive tendering with a minimum of three responses obtained. We will also add the clarification of what is competitive tendering in the Guidance. <p>Please note, these thresholds are for each contractor or supplier, not the entire project cost, as many projects have multiple items with varying suppliers.</p>	From January 2024 update
4.1	Required financial information	<p>From the EOL update in June 2024, Entrust will require the following for project registrations:</p> <p><i>A description of the project aims and details relating to the project's LCF Object, the total amount being met by LCF funding, the total cost of the project (including funds from other sources), and a list of items in which the funds will be spent.</i></p> <p>Therefore, Entrust will not require EBs to provide a cost next to each element in the cost breakdown. More information will be required, as is currently the case, for staff time costs incurred by using an EB's own staff to deliver the project.</p>	From June 2024 on EOL update

		<p>The wording in the Guidance Manual that related to individual expenditure items (4.3.4) has also been removed:</p> <p><i>“The majority of the project expenditure must be for physical works if preliminary works are included.”</i></p> <p>This part of compliance with the Regulations will be assessed as part of the project aim, as we will be able to determine from a good project aim, whether the works are primarily of a physical nature.</p>	
4.6	<p>Making changes to project information</p>	<p>As a result of the above amendment, the requirement to inform Entrust of changes to projects has also been amended in the Guidance Manual as per below:</p> <p><i>Changes that require an update to the project registration include:</i></p> <ul style="list-style-type: none"> • <i>A change to the item list submitted on your project application form</i> • <i>A change to the project aim</i> • <i>A change to the total LCF cost which is more than a 10% change to the total LCF cost listed on the project.</i> • <i>Any other changes (such as new access restrictions or planning permission changes) that have a material impact on project delivery.</i> <p>Whilst the EOL change on project costs will not be fully implemented until June 2024, we will not delay the implementation of this manual amendment until then. Consequently, from the January 2024 update, we will no longer require updates on the cost changes of individual items.</p> <p>As has been the practice, we will continue to require an update to the EOL system if an item needs to be added to or removed from the list on the registration form. This will remain the procedure going forward. If you have been submitting a quote as evidence of expenditure or if you continue to do so until June 2024, please ensure you inform Entrust should you switch suppliers, providing the new quote for upload to the project until EOL is updated in June 2024. Post-June 2024, we will no longer request quotes and budget sheets within the project registration as a form of evidence.</p>	<p>From January 2024 update</p>

5.7	Publicity and Promotion	We removed the words that were in bold regarding the guidance around promoting the LCF and Landfill Operators, as they were indicating that it was regulatory requirement.	January 2024
4.3.3	Solar panels and Car Charging points	<i>Object D (under Examples of acceptable costs)</i> New paragraphs have been added to clarify eligibility of solar panels and car charging points. Both are eligible expenditure if the amenity they are attached to meet the general criteria of public access.	January 2024

3. Further EOL Changes in development for June 2024

- 3.1. While not a guidance change, the EOL update scheduled for June 2024 presents an opportunity to rectify several key issues and implement certain proposals within EOL, specifically the project forms (Form 2 and 9) and Annual Return (Form 4).
- 3.2. Currently, to report projects as complete, an Annual Return must be created if not already in draft status. An EB must navigate to the appropriate projects page and enter details into the annual return, then save it as a draft. This process has led to confusion for many EBs. As a resolution, it has been decided to shift the project completion process from Form 4 to a new tab within Form 2. Please note, there will be no change for EBs with allocated projects; spend details will still need to be reported on Form 4 by the receiving EB. The EB who holds the project registration for an allocated project will complete the project as above, on the Form 2.
- 3.3. Additionally, Form 2 will be streamlined by removing various items identified as unnecessary for assessing compliance or as duplicative of other processes checking the same elements, including the points mentioned earlier.
- 3.4. We believe these will significantly improve the useability of project forms and simplify how to file the Form 4, which will be more likely to only be viewed, filed and completed on an annual basis. All project details made on the project pages will be automatically entered into your Form 4, as is currently laid out, but will be 'read-only' on the project information pages.

4. Questions

- 4.1. If you have any questions, clarifications or concerns you would like to raise, please contact helpline@entrust.org.uk, or phone 01926 488 300. We would be very happy to talk through any queries you may have.

- 4.2. We acknowledge that the period between the guidance update and the EOL update might lead to some confusion, potentially resulting in a few errors or misunderstandings. We fully understand these challenges and are prepared to address them accordingly. We trust that the table provided earlier will offer clarity on the most frequently encountered queries.
- 4.3. There may also be impacts that we have not recognised. We are very keen to understand the impact of these changes or receive suggestions for future guidance updates. Please do get in contact with us, and we will be delighted to receive further feedback and/or suggestions for improvement.

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