

ERDF Cross Cutting Themes (also known as 'Horizontal Principles')

General Information for Applicants

Introduction

This information document has been written to assist applicants who are applying for funding under the European Structural & Investment Fund (ESIF). It has been designed to help them understand how to appropriately consider and embed the Cross Cutting Themes (CCTs) in their applications.

There are three funding streams that have been brought together under the ESIF. These are the European Regional Development Fund (ERDF), the European Social Fund (ESF) and part of the European Agricultural Fund for Rural Development (EAFRD). Each funding stream has its own Operational Programme (OP). This paper seeks to specifically support applicants with the Cross Cutting Themes requirements of ERDF applications (both at outline and full application stages). ESF has a separate paper, and EAFRD falls outside the scope of the Technical Assistance support provided through the Programme Facilitation Team at Cornwall Development Company (CDC).

The contents of this paper are not exhaustive and applicants should familiarise themselves with the ERDF OP, ESIF Guidance, and the Inclusion, Environmental Growth and Integrated Territorial Investment Board (ITI Board) Strategies detailed below, together with the relevant Call under which the application is being submitted.

Free specialist Cross Cutting Themes support is available from the Technical Assistance Programme Facilitation Team at CDC. Contact details are shown at the end of this paper.

Cross Cutting Themes

The CCTs, also referred to as the Horizontal Principles, form integral and extremely important components in administering European funds. The CCTs are defined as:

- Sustainable Development
- Equal Opportunities and Non-discrimination.

These themes, together, consider the natural environment and the human environment in a holistic manner and must be embedded from the initial design and development phase of a project, through to project delivery and beyond.

At the outline application stage, the CCTs form part of the Managing Authority's initial 'core assessment criteria'. It is therefore very important that the CCTs are given appropriate consideration at the outline stage. Applicants need to consider

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how to embed the CCTs early into the design of their projects, with further detailed enhancement needed at the full application stage.

In making its decisions/recommendations on project applications, the Integrated Territorial Investment (ITI) Board seeks to provide support to projects that:

- clearly demonstrate how the CCTs good and best practices will be embedded into proposed project's activities, and
- refer to (and draw from the content of) the Inclusion Strategy and the Environmental Growth Strategy outlined in the Cornwall & the Isles of Scilly (CIoS) ITI Strategy.

Applicants are, therefore, strongly encouraged to show how their projects meet (and ideally exceed) the CCTs requirements that are detailed in the ERDF OP.

Sustainable Development Theme

Sustainable development is an overarching objective of the European Union (EU). It is also a cross cutting priority theme within the ERDF 2014-2020 Programme.

The principles of sustainable development seek to achieve an appropriate balance between the often competing needs of the environment, social and economic objectives in project design, management and delivery.

Environmental sustainability must be an integral part of all ESIF funded projects, and applicants need to ensure that their project activities do not have an adverse effect on the environment. Applicants must be able to demonstrate that they have given due consideration to the likely impacts of their project, demonstrating how they will maximise positive environmental impacts and, where appropriate, showing how they will remove/mitigate any potential negative impacts.

The principles of sustainable development should be embedded into the project and have informed its development and delivery. Applicants should set out both what they do as an organisation and how they will deliver sustainability to the end beneficiaries – it's often the latter that can have the biggest impact.

Legislation

ESIF funded projects must comply with all relevant European and domestic legislation.

Environmental legislation requires projects that are likely to have a significant impact on the environment to be subjected to an assessment of those effects. For some types of projects, an independent assessment is mandatory, whilst for others it will depend on whether the project is judged to be likely to have significant environmental effects. Applicants are therefore required to include in their application sufficient details of the environmental impact of the project. In preparing a project application, the applicant may need to consult a competent environmental authority, depending on the nature of the project deliverables.

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Article 8 of the EU Common Provisions Regulations cover environmental protection, resource efficiency, climate change mitigation and adaptation, biodiversity, disaster resilience, risk prevention and management. Consideration must also be given to the Polluter Pays Principle (whereby the party responsible for producing pollution should pay for the damage to the natural environment). The relevance of this can vary from project to project, but it is worthy of note that greenhouse gases are considered pollution. Applications should therefore demonstrate (where relevant) that the Polluter Pays principle is adequately considered in their proposal and detailed in their sustainable development policy and implementation plans.

In setting out how the project meets the requirements of the Sustainable Development Theme, applicants should give appropriate consideration to the following in their application. This list is not exhaustive.

- Adequately consider sustainable development principles (environmental, social and economic);
- Commit to providing a project specific Sustainable Development Policy and Implementation Plan at full application stage. At Outline stage details of what the policy and plan will include will demonstrate how the project anticipates delivering against the Sustainable Development Theme. The Implementation Plan should be a working document that is reviewed and updated regularly and should include details of how the Policy will be communicated to project staff and partners;
- Provide details if the project has a specific environmental focus;
- Provide details if the project compliments any of the environmental thematic objectives of this or other ESIF Programmes;
- Demonstrate how the project is integrating adaptation and local resilience to climate change (particularly where these strengthen local economic development by managing risk, avoiding disinvestment and safeguarding growth);
- Demonstrate (where relevant) consideration of the EUs commitment to halting biodiversity loss and degradation of ecosystem services – not just do less harm;
- Show how the project supports the move towards a low carbon economy (for example by adhering to UK Government buying standards and through using nationally recognised building and civil engineering sustainability standards (as detailed below in the capital projects section);
- Provide details if the project will use the environment as a resource to help motivate disadvantaged people (for example by providing non-classroom/non-traditional learning environment);
- Support a culture of resource and energy efficiency;
- Detail if/how the project supports recycling (consider WRAP and the Circular Economy principles);
- Evidence where good and best practices are achievable over and above legal minima;
- Provide mandatory environmental training for all project staff;
- Monitor and report against the projects CCTs.

Revenue projects

For revenue projects the CCTs should be applied relative to the scale and scope of the project, focussing on what are the greatest benefits. Examples of good practice include having an externally verified Environmental Management System such as ISO14001, Eco-management and Audit System or the IEMA Acorn Scheme (BS8555).

Capital projects

Proposals for buildings and infrastructure will be subjected to environmental safeguards in the planning system and must also be assessed using recognised standards, such as the Building Research Establishment Environmental Assessment Method (BREEAM) for buildings, and the Civil Engineering Environmental Quality Assessment and Award Scheme (CEEQUAL) or equivalent for infrastructure projects. This is to ensure that the environmental sustainability is considered throughout the whole lifecycle of a project.

Capital investments will normally be expected to achieve the following:

New build projects - BREEAM Excellent is the default requirement with scope to agree Very Good where circumstances make this the highest feasible standard;

Refurbishment Projects - BREEAM Very Good;

Infrastructure projects - CEEQUAL Very Good as an absolute minimum (many schemes invited to submit a full application are now being asked to achieve CEEQUAL Excellent Whole Team Award, or justify why this level is not feasible).

To achieve these standards, applicants must demonstrate a proactive approach, maximising energy efficiency and minimising water consumption and drainage off site where appropriate. For example (this list is not exhaustive):

Positive environmental impacts could include:

- improvements in energy efficiency;
- reduction of carbon emissions;
- using renewable energy;
- incorporating water efficiency measures;
- enhancing natural habitats;
- reducing waste generation;
- using recycled materials.

Negative environmental impacts could include:

- impacts on wildlife habitats – these might be short-term impacts (for example, whilst the project is being constructed), or longer-term impacts from the ongoing presence and use of a facility;
- significant increases in traffic and/or congestion;
- pollution (including noise and dust);
- waste generation (during construction and in use);
- increased flood risk;

- visual impact.

For BREEAM, an initial design stage assessment (ideally at RIBA stage 3), providing an overview of what the building could realistically achieve, should ideally be provided with the full application.

For CEEQUAL, it is expected that a 'whole team award' is achieved and that applicants will be in a position to confirm that they will achieve the required award and level, which is to be externally verified by CEEQUAL.

Green Infrastructure

Green Infrastructure (GI) covers a range of green spaces and can include water bodies (blue infrastructure). These can provide multiple benefits from supporting climate change adaptation and mitigation, through to supporting biodiversity and setting the scene for investment. Capital projects should therefore demonstrate how they are contributing to the development of green infrastructure strategically or locally within, and where relevant, beyond their boundaries. Green infrastructure based projects will need to demonstrate that they have a costed management plan and ring fenced budget in place that will support the ongoing development and maintenance of the project.

Whilst no specific activity relating to Natura 2000¹ is envisaged, other sustainable development objectives will include the conservation status of habitats and species.

Environmental sustainability should form part of the development of all projects. Suggested deliverables are detailed in section 11 of the OP.

Further information is provided in the ERDF Output Indicator Definitions Guidance.

Equal Opportunities and Non-Discrimination Theme

All European Structural and Investment Funds promote equality in accordance with the EU and national requirements. Applicants therefore need to be able to explain how their project contributes to, and meets the requirements of, the ESIF equality and diversity theme. Equality should be integrated into all aspects of project planning, development, implementation, monitoring and evaluation. It must be embedded not only within the services the project provides, but also in the way the project is delivered.

Applicants must demonstrate that their proposal will be delivered in line with equality law and regulatory requirements, and that it will not adversely impact, or discriminate against (directly or indirectly) people with any of the nine protected characteristics under the Equality Act 2010 (age, disability, gender

¹ Natura 2000 is a network of nature protection areas in the territory of the European Union. It is made up of Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) designated respectively under the Habitats Directive and Birds Directive. The network includes both terrestrial and marine sites (Marine Protected Areas (MPAs)).

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reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation). The 2010 Equality Act provides a framework to effectively tackle disadvantage and discrimination.

The law requires due regard be given to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not.

The EU Common Provision Regulations require that equality between men and women and the integration of gender perspective are taken into account and promoted. Accessibility for persons with disabilities must also be taken into account throughout the preparation and implementation of programmes. Further information can be found in Article 7 of the Common Provisions Regulation.

The UK Public Sector Equality Duty applies to the delivery of ERDF, and means that all projects must consider the needs of all individuals and have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people when carrying out their activities.

The broad equality principles of the ESIF Programme are:

- No beneficiaries to be excluded from participation in the Programme on the grounds of their protected characteristics;
- The needs of all potential beneficiaries and participants are considered at project design stage in order that the service is appropriately delivered;
- All physical regeneration i.e. new buildings and upgrading existing premises are expected to meet minimum accessibility requirements (Equality Act, Part M of Building Regulations and recommended British Standards for accessibility). It is good practice to exceed these minimum standards where possible;
- Services are responsive to the needs of all communities and under-represented groups;
- Support is targeted towards under-represented communities where relevant;
- Responsiveness to, and inclusiveness of, under-represented groups in delivery and management.

Monitoring requirements for beneficiaries will be advised by the Managing Authority (MA), but broadly speaking these are likely to be under the categories of age, gender, ethnicity and disability.

The OP has been informed by an Ex-ante assessment which informed how equality issues are considered in the Programme. It identified opportunities to promote equality, proposed solutions for elimination of potential negative

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impacts and identified opportunities for monitoring. These are detailed in section 11 of the ERDF OP.

When applicants are developing their projects and drafting the application form, consideration to including the following should be given where relevant. This list is not exhaustive.

- Ensure that Equal Opportunities and Non-discrimination CCT is embedded into the project from the outset;
- Ensure that equality between men and women is considered and demonstrated throughout the preparation and implementation of the project;
- Ensure all project staff benefit from the principles of equal pay for equal work;
- Provide an Equality and Diversity policy and action plan for the project and detail how this will be communicated to project staff and partners;
- Where appropriate, carry out a project specific equality impact assessment, and produce an action plan with SMART (specific, measurable, achievable, timely) targets where actions are identified;
- Ensure it is clear in the application form that the organisation making the application (and any associated delivery partners) comply with the Equality Act 2010 and associated legislation;
- Proactively take steps to take account of the needs of disabled people. This may involve having due consideration for treating some people more favourably than others;
- Consider the content accessibility of project websites. A recognised appropriate level is W3C AA (World Wide Web consortium priority/level 2);
- Ensure that capital builds appropriately consider accessibility. The use of the Social Sustainability Toolkit is an excellent tool to help inform the design to maximise accessibility;
- Ensure that for capital builds, design stage and post construction access audits are carried out by a NRAC (National Register of Access Consultants) qualified access consultant or through a pan disability group (a disability consultation approach is particularly suited to public realm or public facing projects);
- Offer public facing project documentation in alternative formats upon request;
- Provide mandatory E&D training for all project staff so that they have a good understanding of the diverse needs of different people;
- Evidence how the project will support a culture of equal opportunities and treatment;
- Ensure that events venues (including, but not limited to consultation events) provide proper accessibility;
- Monitor and report against the cross cutting themes during the life of the project.

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Further information and support is available free through the Technical Assistance Programme Facilitation Team at Cornwall Development Company.

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If you require this document in an alternative format, please contact the Programme Facilitation Team who will be happy to assist you.
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