

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3831

Author:

Jennie Maybury

Department:

Development and Growth

Contact:

Jennie Maybury

(Job Title: Principal Transport Planner, Email: jennie.maybury@nottinghamcity.gov.uk, Phone: 8763946)

Subject:

Access Fund - Continuation Programme 2020/21

Total Value:

£912,000 (Type: Revenue)

Decision Being Taken:

1) To accept £912,000 revenue grant funding from the Department for Transport for the 2020/21 Nottingham Derby Access Fund continuation programme, detailed in Appendix A. The funding for posts is being approved by the Portfolio Holder as an executive decision and the establishment of the posts is being approved by the Corporate Director under Delegation 16.2) To approve the programme allocations set out in Appendix B and to delegate authority to the Corporate Director for Development and Growth and the Portfolio Holder Adult Care and Local Transport to make variations to the programme, if required.3) To approve the 12-month contract extensions for the projects as set out in Appendix C.4) To approve dispensation from Contract Procedure Rules 5.1.2 Financial Regulation 3.29 (Operational Issues) to allow a direct award to Ridewise to continue the Community Cycle Centres project, as set out in Appendix C.5) To approve dispensation from Contract Procedure Rules 5.1.2 Financial Regulation 3.29 (Operational Issues) to allow a direct award to Sustrans to continue the Jobseeker PTP and Referral contract, as set out in Appendix C.6) To delegate authority to the Corporate Director for Development and Growth to use compliant procurement to select a supplier from the Midlands Highways Alliance PSP3 framework, as set out in Appendix C.7) To directly award up to £312,000 of the grant to Derby City Council for agreed projects in Derby.

Reasons for the Decision(s)

The Department for Transport (DfT) invited all areas that have received an Access Fund grant for travel behaviour change projects for 2017/18 to 2019/20 to apply for continuation funding to extend the programme until March 2021. The Nottingham Derby Metro area partnership successfully bid for £912,000 of revenue grant funding to continue the successful elements of the current programme, as announced by the Minister on 7 February. This decision seeks approval for the City Council to accept the £912,000 revenue grant funding on behalf of the Nottingham Derby Metro partnership as per the grant award letter in Appendix A and to approve the programme allocations set out in Appendix B.

This grant funding will provide continued support for proven projects to promote low carbon and active travel options thereby supporting the City Council to deliver on its commitment to become carbon neutral by 2028, as well as improving air quality and public health for our citizens. The grant will provide £523,000 of revenue funding for direct spend in Nottingham City to fund:

- A third round of household personalised travel planning (delivery areas to be confirmed);
- Continuation of Community Cycle Centres;
- Expansion of the ebikes pilot;
- Continuation of the British Cycling partnership activities;
- Provision of active travel components of the Workplace Travel Service for businesses;
- Continuation of the jobseeker travel support package;
- Continuation of Transport Nottingham marcoms for Let's keep Nottingham Moving campaign, along with associated programme management activities.

This funding will support a number of existing posts in the Transport Strategy (2 x Transport Communications and Marketing FTE roles and 0.8 FTE Access Fund Programme Manager), along with a 12-month contract extension for 1 FTE project support officer. Up to £389,000 is allocated to our bid partner Derby City Council (including Derby spend on joint Nottingham/Derby projects), with a direct award of £262,000 for delivery of agreed projects led by Derby City Council, and the option for a further award of up to £50,000 for household personalised travel planning activities in Derby if commissioned separately to delivery of household personalised travel planning in Nottingham. Progress on delivery and spend for Derby-led projects will be reported via the Nottingham Derby Joint Mobility Board and programme delivery overseen by the City Council's Transport Delivery Board.

Programme delivery in Nottingham will be supported by complementary funding from the Workplace Parking Levy business support package and small scale lottery funding grant secured by Ridewise for King Edward Park Community Cycling Centre. The Access Fund grant will also lever in investment in the form of local cycling activities in schools, clubs and communities to be provided by British Cycling estimated to be worth up to £50,000.

The grant award is continuation funding to extend the current Access Fund programme for a further 12 months up to March 2021. In order to maintain service continuity and to ensure maximum benefit of this additional funding for the target audiences, including jobseekers, businesses and communities, it is proposed to extend existing supplier contracts wherever possible or to use existing procurement frameworks to streamline any additional procurement. Appendix C identifies the recommended procurement route for each project. This report seeks approval for procurement approach set out in Appendix C on the basis this will enable projects to continue delivery from April 2020 without a gap in activity over the summer period which is the prime window for delivery of cycling based activities, thereby ensuring as many people will benefit from the additional funding as possible.

Other Options Considered: 1) To reject the funding award: this was rejected as it would reduce the Council's ability to promote active travel and to reduce congestion and transport related air pollution, and therefore our commitment to become a carbon neutral city by 2028. Rejecting the funding award would also mean that the City would not benefit from up to £50,000 of complementary investment from continuation of the British Cycle partnership.2) To vary the programme from the submitted bid: this was also rejected as the 2020/21 bid put forward the best performing elements of the 2017-2020 Access Fund programme and to vary this would put the Council's ability to meet the terms and conditions of the funding award at risk. Both options would potentially adversely affect the Council's reputation as a leader in local transport delivery.

Background Papers: Appendix A: Access Fund continuation 2020/21 grant award letter.
Appendix B: 2020/21 Access Fund continuation programme allocations.
Appendix C: Access Fund 2020/21 procurement plan.

Unpublished background papers: Delegated Decision Access Fund 20-21 App C procurement fv 11Feb20.docx, Delegated Decision Access Fund 20-21 App A Grant 11Feb20.pdf, Delegated Decision Access Fund 20-21 App B fv 11Feb20.docx

Published Works: Executive Board Report 18 April 2017 - Nottingham Derby Access Fund revenue programme 2017/18 - 2019/20 (Item 92)<https://committee.nottinghamcity.gov.uk/ieListDocuments.aspx?CId=177&MId=5776&Ver=4>

Affected Wards: Citywide

Colleague / Councillor Interests: None

Dispensation from Financial Regulations: Yes

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: There are measures within the programme targeted at supporting jobseekers by addressing travel barrier to accessing employment and training opportunities. Improving people's life chances and better equipping them to be able to gain stable employment will reduce risk of them entering into criminal activities or anti-social behaviour. The programme will also fund continuation of a cycle awareness training for professional drivers project, which has been endorsed by the police. This project is designed to improve skills and driving behaviour of professional drivers around cyclists, fostering respect and understanding between different road users, thereby reducing incidences of road rage and improving road safety.

Equality: Please login to the system to view the EIA document: Delegated Decision Access Fund 20-21 EqIA v002 11Feb20.docx

Social Value Considerations:

The Workplace Travel Service and Jobseeker Support projects are delivered by local third sector suppliers with charitable status. Extending these contracts with these local suppliers will retain employment opportunities within the city and ensure the grant funding can be used to continue cycling services over the prime summer period. Furthermore, the jobseeker travel support project, as well as addressing travel barriers to accessing employment for clients, also provides training opportunities and qualifications for ride leaders and bike mechanics along with volunteering and work placements, increasing the skills and employability of the participants.

Regard for NHS Constitution:

Many of the measures in the Access Fund continuation programme are designed to support uptake of active travel options and develop a cycling culture. The programme will fund projects that work with communities, businesses and jobseekers to improve citizens' cycling skills, bike maintenance skills and develop their cycling and journey planning confidence. There is also a driver awareness training project to improve skills and driving behaviour of professional drivers around cyclists designed to improve road safety for all road users. Increasing uptake of active travel modes will increase opportunities for physical activity, reduce air pollution from road transport and improve mental health and wellbeing of citizens by reducing social isolation through improved access to work and opportunities.

Relates to staffing:

Yes

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

26/03/2020

Advice Sought:

Legal, Finance, Procurement, Human Resources, Equality and Diversity

Legal Advice:

The City Council will enter into a grant funding agreement with Department for Transport (DfT) for the programme funding. It must ensure it complies with the terms of the grant funding conditions in particular in relation to the award of any contracts. The 12 month extensions in recommendation 3 can be made as it is understood those options are in the contracts and the financial value is within the initial estimate. The dispensations at recommendation 4 and 5 are supported and a direct award can be made as both are below the relevant financial thresholds in the Public Contracts Regulations 2015 (Sustrans is subject to the higher threshold for 'light touch' services as an education and training services contract). A partnership contract should be put in place with Derby City Council to document the award and to ensure that the City Council is able to comply with its obligations as lead partner to DfT.

Advice provided by Andrew James (Team Leader Contracts and Commercial) on 03/03/2020.

The 2020/21 Nottingham Derby Partnership Access Fund Programme is to be funded by £912,000 in Department for Transport (DfT) grant funding following a successful bid submission. The 2020/21 programme is an extension to the existing 2017/18 to 2019/20 programme of £2,735,000 (approved by the Executive Board in April 2017) to enable the continuation of delivering travel behaviour projects within the cities of Nottingham and Derby.

In line with the grant conditions, the entire £912,000 DfT grant funding must be spent by 31 March 2021. The DfT reserves the right to re-claim any unspent revenue funding should a change in circumstances mean that the outcomes to be achieved cease to represent the programme for which funding was awarded. Nottingham City Council has an allocated Access Fund Project manager who will be responsible for monitoring the progress and expenditure for each of the Access Fund work stream for Nottingham City Council led projects, Nottingham City/Derby City joint projects contract managed by either Derby City Council/Nottingham City Council and Derby City led projects in order to avoid the risk of incurring expenditure that is not eligible to be funded by the DfT grant award and therefore requiring additional resources to be identified by the Nottingham City Council Transport Strategy department within Nottingham City Council or Derby City Council.

Of the 2020/21 Access Fund programme, £389,000 of the total DfT grant funding has been allocated to Derby City Council in order to deliver low carbon and sustainable travel options within the City of Derby and delivery of Joint Nottingham/Derby projects contract managed by Derby City Council. Included within this allocation, £262,000 has been approved by the Nottingham Derby Mobility Board to be transferred to Derby City Council to undertake their own local procurement route- £217,000 for Derby specific projects and £45,000 for Joint Derby City/ Nottingham City projects, contract managed by Derby City Council. There is also the potential for an additional £50,000 for Household Personalised Travel Planning to be transferred to Derby City Council to undertake their own procurement arrangements which is subject to a decision to be made by the Nottingham Derby Mobility Board, otherwise this part of the work stream for Derby City Council will be procured through Nottingham City Council. The remaining £77,000 of activities are joint Nottingham City/Derby City projects which will be commissioned and contract managed by Nottingham City Council.

The remaining £523,000 Access Fund programme of activities has been allocated for Nottingham City specific projects and joint Derby City/Nottingham City projects, to be contract managed by Nottingham City Council. This funding includes an allocation to provide funding for a number of existing posts: 1 x Transport Communications and Marketing Specialist, 1 x Communications and Marketing Manager, 0.78 FTE Access Fund Project Manager and 1 x Traffic and Transport Graduate, expected to cost a total of £162,000 in the 2020/21 financial year. With regards to the programme of activities resulting in direct spend within Nottingham City which are contract managed by Nottingham City Council, in addition to Joint Derby City Nottingham City projects contract managed by Nottingham City Council, it is the responsibility of the Access Fund project manager to ensure compliance with Nottingham City Council Financial Regulations and Contract Procedure Rules.

Dispensation from financial regulations for the direct award to Ridewise and Sustrans are supported due to this approach avoiding a significant gap in delivery during the core summer cycling period, enabling outcomes to be maximised.

Advice provided by Roma Patel (Accountant - Capital) on 27/02/2020.

Procurement Advice:

The procurement team supports the recommendations as set out in Appendix C of this report.
Advice provided by Paul Ritchie (Lead Procurement Officer) on 26/02/2020.

HR Advice:

Management proposes to use the funding to support the funding for existing posts (2 Transport Comms and 0.8 Access Fund Programme Manager) and to extend the fixed term contract of a Project Support Officer. Where an employee has accrued more than 2 years' service, management should be aware of the right to a redundancy payment if the reason for dismissal is redundancy and budget accordingly. In giving notice to end a fixed term contract, management will need to ensure appropriate timelines are in place to notify the affected employees and give appropriate notice and referral to Redeployment in accordance with the Fixed Term Workers Policy. Management will need to complete a variation to contract form to notify the Employee Service Centre (ESC) and to ensure that employees are advised of the decision to extend in writing.
Advice provided by Shilpa Arya (HR Consultant) on 24/02/2020.

Equality and Diversity Advice:

This proposal is endorsed as it is envisaged there are specific actions outlined that will have a positive impact on different groups of citizens, e.g. women, people with disabilities.
Advice provided by Saema Mohammad (Service Redesign Consultant) on 03/03/2020.

Signatures

Adele Williams (Portfolio Holder for Adult Care & Local Transport)
SIGNED and Dated: 18/03/2020
Chris Henning (Corporate Director for Development and Growth)
SIGNED and Dated: 10/03/2020
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 12/03/2020
Chief Finance Officer's Comments: