

Nottingham City Council Delegated Decision



Reference Number:

3939

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Department:

Development and Growth

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Subject:

Acceptance of funding from the DfT's COVID-19 Emergency Active Travel Fund - Tranche 1

Total Value:

£569,806 (Type: Capital and Revenue)

Decision Being Taken:

- 1) To accept £569,806 of funding from Tranche 1 of the Department for Transport's (DfT) COVID-19 Emergency Active Travel Fund (EATF), made up of £334,024 capital and £235,782 revenue.
- 2) To delegate authority to the Corporate Director of Development and Growth to use the funding to develop and implement the temporary schemes listed in the outline EATF programme attached in Appendix A.
- 3) To delegate authority to the Corporate Director of Development and Growth to make variations to the EATF programme and expenditure in consultation with the relevant Portfolio Holder, as required.
- 3) To enter into contracts with contractors to supply, install and maintain a range of temporary traffic management measures, and to purchase the necessary equipment to implement the schemes using existing framework agreements and approved procurement procedures.
- 4) To approve dispensation from financial regulations to extend the existing Ridewise & Nottingham Bikeworks contracts by a further £17,000 and £23,000 respectively, to enable the refurbishment of an additional 160 bikes as part fo the EATF programme.
- 5) To submit a bid for further funding (of approximately £2million) under Tranche 2 of th EATF programme, to implement longer-term measures to support commuting by walking and cycling.

Reasons for the Decision(s)

A new statutory duty has been placed on Local Authorities to reallocate road space for cycling and walking, to support the Government's phased restart of the economy in the wake of the Coronavirus pandemic. Capacity on public transport has been significantly reduced to facilitate social distancing and, therefore, new measures are required to 'get Britain moving again' without overcrowding public transport or increasing car dependency.

Tranche 1 of the Emergency Active Travel Fund (EATF) has been developed by the Department for Transport (DfT) to enable Local Authorities to implement temporary measures (such as pop-up cycle lanes) to encourage more people to cycle or walk. It is intended that the temporary measures will create a safe environment for citizens to navigate their way around Nottingham whilst maintaining a social distance. They will also help encourage a modal shift to commuting by greener means, which will reap associated health, air quality, carbon reduction and congestions benefits. All of the projects in Tranche 1 will be introduced on a temporary basis and this means the Council will be able to make 'tweaks' to the scheme to help them operate better, assess their success and whether they could be implemented on a permanent basis (subject to consultation) to support longer-term transport policies, or remove them if they are having unexpected negative impacts on the highway network.

On 27 May 2020, the DfT wrote to the Council to indicate it has been provisionally allocated £510,000 (£360,000 capital and £150,000) to introduce measures that would promote cycling and walking as a replacement for some journeys previously made by public transport. A second letter from the DfT dated 26 June 2020 confirmed the final allocation was £569,806 (£334,024 capital and £235,782 revenue) and the amount the Council was being given was higher because its bid was particularly strong.

As part of the submission, the Council developed an outline EATF Programme made up of five key packages of schemes that would help support a local green restart and enable us to keep Nottingham moving safely. These are:

- 1. Develop new cycle routes in the north and east of the City;**
- 2. Create a safer City Centre, District Centres and Neighbourhoods;**
- 3. Create traffic-free school streets;**
- 4. Improve access to green spaces;**
- 5. Develop supporting measures to promote and maximise use of the new infrastructure created.**

Nottingham is heavily dependent on its public transport network, with amongst the highest bus and tram use per head in the country. A shift to increased walking and cycling is required to address the constrained capacity as a result of social distancing without increasing car trips. The programme will support key workers, encourage new/inexperienced cyclists, prepare for school re-openings and respond to social distancing requirements. It will also bring local benefits, including helping get people back to work, as we will use our own staff and the local labour market to implement the schemes where ever possible.

In accordance with the DfT's criteria, the range of temporary measures will be designed and installed within an eight-week timeframe and a copy of the outline programme has been attached as Appendix A, for reference. Due to the stringent timescales, officers have started to develop initial scheme designs. Robust governance procedures have been put in place and all schemes will require approval from the relevant Portfolio Holder before they are implemented. This approval will be granted at the EATF Programme Board meeting, which is held weekly on a Friday.

As part of the supporting measures work package, the Council is seeking to support the refurbishment of an additional 160 bikes using EATF funding. Existing contracts are in place with local organisations Ridewise and Nottingham Bikeworks to refurbish bikes for NCC and the contract is in place until 31 March 2021. The additional work will go over the authorised amount so, to enable this work to be undertaken in the eight-week timetable, and to ensure value for money, it is proposed to extend the contract values by £17,000 for Ridewise and £23,000 for Nottingham Bikeworks. Ridewise is a registered charity and Nottingham Bikeworks are a not-for-profit community interest company.

It is also proposed to submit a bid for additional funding under Tranche 2 of the EATF programme. Funding from this tranche will provide financial support for the Council to make some of the temporary schemes introduced in Tranche 1 permanent, if they are found to be success and supported by local citizens and stakeholders.

Briefing notes documents:	Nottingham City Council EATF.pdf, 200703-V1.0-EATF Outline Programme -GB.docx
Other Options Considered:	1) To reject the funding award from the DfT. This option was discarded as it would prevent the Council from installing measures to promote cycling and walking as a preferred mode of travel for commuting. As part of the Government's guidance on travelling safely during the coronavirus pandemic, the public are being actively encouraged to consider all other forms of transport before using public transport. Due to social distancing measures, capacity on public transport has been significantly reduced and we do not want to encourage a modal shift to the private car, as this would have a negative impact on the progress we have already made towards becoming carbon neutral by 2028. It is therefore essential that we accept this funding to promote sustainable modes of travel.
Background Papers:	None
Published Works:	None
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:	The Council are proposing to install temporary traffic management measures to encourage journeys that are currently undertaken by public transport of private car to be taken by walking or cycling. This will include installing signs and cones on the adopted highway that could be moved, removed or stolen. The Council will appoint an external traffic management company, who will be responsible for overseeing the installation and maintainance of these items to ensure they comply with relevant legislation and guidance at all times and are replaced quickly if they have been removed. The Council has a network of CCTV and traffic cameras on main aetrial routes and therefore we will be able to monitor the situation. Our Community Protection Officers will also be patrolling the City Centre and District Centres, and this should help discourage anti-social behaviour.

Equality: EIA not required. Reasons: This decision is to obtain approval to accept funding and enter into contracts with contractors to provide traffic management services. The EATC programme is made up of five work packages and the Project Team are in contact with the Equalities Team to ensure EIAs are carried out on individual schemes where necessary, to ensure the temporary measures do not discriminate against any particular group. We will also be liaising and taking advice from the Council's Equalities Project Officer and the Disability Involvement Group (DIG) to ensure the measures do not impact our disabled citizens ability to navigate the City.

Social Value Considerations: The Council will be using existing framework agreements to procure temporary traffic management services, and these contracts have been awarded in accordance with legal requirements set out in The Public Services (Social Value) Act 2012.

Decision Type: Portfolio Holder

Subject to Call In: No
The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Advice Sought: Legal, Finance, Procurement, Human Resources, Equality and Diversity

Legal Advice: The City Council must ensure it complies with the terms of the Department for Transport's Grant agreement. Where the City Council uses grant funding to appoint contractors it should ensure that it includes contract terms which will enable the City Council to recover funding where the City Council has to repay funding to the Department. All contracts must be awarded in compliance with the City Council's Financial Regulations and the Public Contract Regulations 2015. Implementation of any temporary road measures must be undertaken in compliance with legislation and further advice and support can be provided by the Legal Services team. The dispensation to extend the contracts to the two organisations providing bicycle maintenance/refurbishment is supported as the extension is in compliance with the Public Contracts Regulations.

Advice provided by Andrew James (Team Leader Contracts and Commercial) on 21/07/2020.

Finance Advice: The grant defined within this decision has been secured and received by the Council, with the proposed projects not requiring any match funding. Following the approval of this decision the Capital Programme will be amended accordingly. The Head of Traffic and Safety is required to ensure that the all grant conditions are complied with to mitigate the risk of grant clawback. All of the proposed schemes as part of this decision are required to not have a detrimental affect on the Councils revenue budget.

Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 16/07/2020.

Procurement Advice: There are no procurement concerns in relation to this decision.

Advice provided by Paul Ritchie (Lead Procurement Officer) on 21/07/2020.

HR Advice:

There are no direct HR implications, so the proposals are therefore supported.
Advice provided by Paul Slater (Service Redesign Consultant) on 20/07/2020.

Equality and Diversity Advice:

Advice will be provided in regards to the completion of Equality Impact Assessments as and when these are required for individual schemes.
Advice provided by Nasreen Miah (Equality and Employability Consultant) on 20/07/2020.

Signatures

Adele Williams (Portfolio Holder for Adult Care & Local Transport)
SIGNED and Dated: 28/07/2020
Chris Henning (Corporate Director for Development and Growth)
SIGNED and Dated: 28/07/2020
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 27/07/2020
Chief Finance Officer's Comments: