

Executive Board – 15 December 2020

Subject:	Acceptance and allocation of Active Travel Fund Tranche 2 grant money from the Department for Transport
Corporate Director(s)/Director(s):	Chris Henning
Portfolio Holder(s):	Councillor Adele Williams
Report author and contact details:	Gillian Bradbury Gillian.bradbury@nottinghamcity.gov.uk
Other colleagues who have provided input:	John Bann
Subject to call-in: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Key Decision: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Criteria for Key Decision:	
(a) <input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision	
and/or	
(b) Significant impact on communities living or working in two or more wards in the City <input type="checkbox"/> Yes <input type="checkbox"/> No	
Type of expenditure: <input checked="" type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital	
Total value of the decision: £2,039,000. The split between capital and revenue is 80/20 which equates to £1,631,200 capital and £407,800 revenue.	
Wards affected: City wide	
Date of consultation with Portfolio Holder(s):	
Relevant Council Plan Key Theme:	
Nottingham People	<input checked="" type="checkbox"/>
Living in Nottingham	<input checked="" type="checkbox"/>
Growing Nottingham	<input checked="" type="checkbox"/>
Respect for Nottingham	<input type="checkbox"/>
Serving Nottingham Better	<input checked="" type="checkbox"/>
Summary of issues (including benefits to citizens/service users):	
<p>In June 2020, Government announced that Nottingham City Council had been successful in securing £570,000 of funding from Tranche 1 of the Emergency Active Travel Fund (EATF). The EATF was set up to provide funding for local authorities to implement emergency temporary measures that would encourage more people to cycle or walk during the Covid-19 pandemic.</p> <p>The money was used to deliver a range of temporary schemes, including a number of pop-up cycle lanes, school streets and low traffic neighbourhoods that helped to create a safe environment for our citizens to navigate their way around the City whilst maintaining a social distance.</p> <p>On the 13 November 2020, Government announced the final funding allocations for Tranche 2 of this programme that has been re-named the 'Active Travel Fund' (ATF). Nottingham City Council had bid for a total of £2,145,000 from this fund and has been allocated £2,039,000 (the full amount the Department of Transport had allocated to Nottingham), provisionally made up of £1,631,200 capital and £407,800 revenue.</p> <p>The purpose of this report is to obtain the necessary approval to accept the money and deliver the Tranche 2 programme in full. This will allow the Council to make some of the temporary</p>	

schemes with proven benefit permanent as well as introducing new measures such as a city centre 20 mph zone and supporting the e-scooter scheme.

Exempt information:

None

Recommendation(s):

- 1** Accept £2,039,000 of funding from Tranche 2 of the Department for Transport's 'Active Travel Fund', provisionally made up of £1,631,200 capital and £407,800 revenue.
- 2** Agree the Consultation Strategy for the Active Travel Fund Schemes in Appendix B and publish on the Council website in order for the Department for Transport to release the Active Travel Fund allocation to the City Council.
- 3** Delegate authority to the Corporate Director of Development and Growth to use the funding to develop and implement the schemes listed in the outline ATF programme attached in Appendix A.
- 4** Delegate authority to the Corporate Director of Development and Growth to make variations to the ATF programme and expenditure in consultation with the relevant Portfolio Holder, as required.
- 5** Delegate authority to the Corporate Director of Development and Growth to appoint preferred suppliers and contractors to deliver the programme. All procurement activities will be undertaken in accordance with the Councils' financial regulations and procedures.

1 Reasons for recommendations

- 1.1 In June 2020, Government announced that Nottingham City Council had been successful in securing £570,000 of funding from Tranche 1 of the Emergency Active Travel Fund (EATF).
- 1.2 The EATF was set up to provide funding for local authorities to implement emergency temporary measures that would encourage more people to cycle or walk during the Covid-19 pandemic.
- 1.3 Approval to accept and allocate the funding from Tranche 1 was granted on the 27 July 2020 under decision 3939. The money was used to deliver a range of temporary schemes, including a number of pop-up cycle lanes, school streets and low traffic neighbourhoods that helped to create a safe environment for our citizens to navigate their way around the City whilst maintaining a social distance.
- 1.4 On the 13 November 2020, Government announced the final funding allocations for Tranche 2 of this programme that has been re-named the 'Active Travel Fund' (ATF). Nottingham City Council had bid for a total of £2,145,000 from this fund and has been allocated £2,039,000, provisionally made up of £1,631,200 capital and £407,800 revenue.

- 1.5 The Tranche 2 funding has been provided to enable local authorities to build on the success of Tranche 1 and make some of the temporary schemes permanent where their on-going benefit has been determined.
- 1.6 Tranche 1 schemes were introduced on an emergency basis under tight timescales, which left little opportunity for consultation with stakeholders. As part of Tranche 2, it is a requirement that the Council write and publish a Consultation Plan online by the 11 December 2020. This document has been prepared and attached as Appendix B.
- 1.7 The Department for Transport will review this document and will release the funding on the 18 December 2020 for delivery if they are satisfied with the contents.
- 1.8 As part of the bid for Tranche 2, the Council has developed an outline programme that expands, or makes permanent many of the schemes delivered in Tranche 1. A copy of this programme has been attached as Appendix A for reference.
- 1.9 The delivery programme runs from award on the 18 December 2020 with all schemes being finalised by the 31 March 2022.
- 1.10 It is not a requirement of the Council to provide any match funding as part of this award and a robust cost-management plan will be put in place to ensure there is no overspend on this programme.

2 Background (including outcomes of consultation)

- 2.1 Covid-19 has had a significant impact on the travel patterns of those that live and work in Nottingham over the past nine months. Prior the pandemic public transport use in the city was amongst the highest in the country, but at the peak of lockdown the number of people using buses and trams was down to 10% of pre-lockdown levels. As more people have been encouraged to get back to work and use public transport where necessary it has increased, but levels are still only around 30%.
- 2.2 When the Government relaxes lockdown measures and more people are returning to work, education, shopping, and leisure, many will be re-evaluating their transport options - especially whilst social distancing measures are in place. It would be unsustainable for the transport network, and have wider implications on air quality and health, if large numbers of people switch to private car use for these trips. Equally, if significant numbers of people returned to public transport, this could create issues with overcrowding whilst reduced vehicle capacities are in place to facilitate social distancing.
- 2.3 To avoid an increase in private car use and to protect public transport services, we feel it is essential to continue with an ambitious programme of measures, which were started through EATF Tranche 1 and we will continue to build on in Tranche 2. All schemes in Tranche 1 are targeted where significant benefit can be derived in response to restart and recovery, as well as being deliverable within the timescales for EATF. We have also ensured that the schemes and measures put forward draw upon the Nottingham and Nottinghamshire elements of the D2N2 wide LCWIP, and complement the work we have begun to deliver through the Transforming Cities fund (TCF).

2.4 Our EATF Tranche 1 bid was viewed favourably by the DfT for its ambition to reallocate road space to pedestrians and cyclists, and we have therefore extended the initial five packages of schemes into Tranche 2. These packages are focused on areas of Nottingham in greatest need, to support a local green restart and recovery and include:

- 1) Providing permanent segregated cycle corridors from residential areas into the city centre;
- 2) Extending the low traffic neighbourhoods schemes to allow for safe social distancing in city and neighbourhood centres;
- 3) Supporting schools to re-open by creating traffic-free areas around schools and delivering a complementary behavioural change programme;
- 4) Continuing to invest in parks and open spaces by widening and improving paths to allow for safe social distancing;
- 5) Investing in a series of supporting capital and revenue measures to inspire, encourage and facilitate more walking, cycling and e-scooting; and 'lock-in' this change in behaviour;

The full list of schemes in each package is included in Appendix A.

2.5 The EATF Programme in the summer/ autumn of 2020 had very short funding timescales, which meant that the Council had to introduce schemes on a trial basis with limited time available for substantial consultation in advance. The ATF programme will allow us to further develop some of the EATF trial schemes and allow new schemes to be considered. The programme has a longer delivery deadline, which will enable in-depth consultation to be undertaken before schemes are implemented. This will enable scheme developers to take account of feedback received and amend the schemes where possible. The consultation methods employed will use some of the toolkit of measures that have been developed and used since the beginning of the Council's Cycling Ambition project in 2015.

2.6 The ATF consultation plan included in Appendix B sets out how we propose to engage with residents and stakeholders before and during scheme implementation. The programme has a wide variety of different types of schemes in different geographic areas from cycle route improvements in Sherwood/Berridge in the north east, to the city centre 20mph zone and School Streets citywide. As such, the Council will tailor consultation to suit the individual scheme and location.

2.7 As with Tranche 1, a programme manager from Major Projects will be responsible for overseeing the effective and timely delivery of Tranche 2 using the Council's established corporate approach to programme and project management.

2.8 The programme manager will implement a robust delivery framework for the ATF programme, which will include (but not be limited to) procedures for governance, managing risk, change control, budget controls, resource planning and regular reporting to the DfT. This framework will ensure the programme is delivered in strict accordance with the Council's Constitution and financial regulations.

2.9 Delivery of the programme will utilise existing internal staff resources. All staff costs will be wholly covered by the ATF Fund and as detailed earlier, there

are no match fund contributions attached to this grant, therefore, the Council will not have to use existing budgets to deliver this programme.

- 2.10 The programme team will primarily use existing framework agreements to procure the goods and services needed to deliver the ATF programme and have had early discussions with colleagues in Procurement on this matter. If there are any tendering opportunities arising from the acceptance of the funding and delivery of this programme, these will be carried out in accordance with the Council's established approval and contract procedures, and we will notify local suppliers of these opportunities to ensure we meet our social value obligations.

3 Other options considered in making recommendations

- 3.1 Consideration has also been given to not accepting the funding award from the Department for Transport, but this option was quickly rejected as it would mean the Council would be unable to:

- Deliver the sustainable transport improvement schemes detailed in the ATF Tranche 2 bid;
- Build on the successful delivery of the schemes installed under Tranche 1 of the EATF fund, including the provision of new cycle lanes that have improved east to west connectivity for cyclists;
- Re-focus on increased local movements that have occurred as a result of the Covid-19 pandemic, and encourage more walking and cycling for these local trips;
- Further encourage a modal shift from private car to cycling and walking that will play an important part in the Council becoming carbon neutral by 2028.

4 Finance colleague comments (including implications and value for money/VAT)

- 4.1 This decision seeks to accept £2,039,000 of DfT grant the funding is split as follows:

- £407,800 Revenue grant funding to deliver the active travel fund tranche 2 revenue aspect of the programme. This will have no impact on the Medium Term Financial Plan as will not generate a saving or pressure to the council as the additional revenue expenditure will be limited to the revenue grant funding available.
- £1,631,200 Capital grant, this grant requires no match funding from additional resources and this project is currently outside the Capital Programme so following the approval of the decision the Capital Programme will be amended as required.

- 4.2 The Cycling and Road space Transformation manager has advised that the DfT will not clawback unspent grant if the funding is not spent by the expected completion date, 31 March 2022. Should the schemes not be delivered by the required timescales or deviate from the programme for which the grant funding has been awarded, there is a risk that this will be taken into account in future DfT spending rounds. It is the responsibility of the project manager to mitigate the risk of such events by ensuring the project is appropriately monitored against the programme plan.

- 4.3 In acceptance of the grant funding to undertake the tranche 2 programme, Nottingham City Council will be expected to provide data on the deliverables achieved against the grant. The project manager for the scheme will need to ensure that DfT reporting is submitted in a timely manner.
- 4.4 Due to the project being wholly grant funded and not requiring any match funding from Council Resources this decision is exempt from the current amended scheme of delegation.

Tom Straw – Senior Accountant (Capital Programmes)
Roma Desia – Commercial Business Partner
4 December 2020

5 Legal and Procurement colleague comments (including risk management issues, and legal, Crime and Disorder Act and procurement implications)

- 5.1 This report seeks authority to receive grant funding from the Department for Transport's Emergency Active Travel Fund and to spend the funding in accordance with the programme attached. The City Council must ensure it complies with the terms of the grant funding conditions with the Department for Transport including requirements for monitoring and reporting and delivering outputs otherwise the City Council may be liable to repay grant to the Department. The City Council must ensure all contracts are awarded in accordance with its financial regulations and the Public Contracts Regulations 2015. The City Council must ensure if any of those work packages are not subject to competitive tender process (for example in work-stream 5) that the financial contribution is not unlawful state aid. The Legal Services team will provide assistance as necessary to identify solutions to ensure any such financial contribution is not unlawful state aid, for example by requiring the recipient to make a de minimis declaration.

Andrew James, Team Leader Commercial, Employment and Education
4 December 2020

6 Strategic Assets & Property colleague comments (for decisions relating to all property assets and associated infrastructure)

- 6.1 Not applicable

7 Social value considerations

- 7.1 We will primarily be using existing framework agreements to procure the works and services required to deliver the schemes in the ATF Programme, and these contracts have been awarded in accordance with legal requirements set out in The Public Services (Social Value) Act 2012.

If there are any tendering opportunities arising from the acceptance of the funding and delivery of this programme, we will work with colleagues in Procurement to notify local suppliers of these opportunities.

8 Regard to the NHS Constitution

- 8.1 Not applicable

9 Equality Impact Assessment (EIA)

- 9.1 The decision is to obtain approval to accept the ATF funding and allocate the money to enable the schemes listed in the draft programme to be developed and installed if they are found to be viable.

Whilst the schemes in Tranche 1 were temporary, and did not legally require an EIA, we worked with colleagues in the Equalities team to write and publish EIAs for all schemes. This process will be carried forward to Tranche 2.

Funds in Tranche 1 were allocated to deliver emergency schemes under stringent timescale and left little opportunity for in-depth consultation with stakeholders. For Tranche 2, the Council is required to prepare and publish a Consultation Plan online, which has been attached as Appendix B.

The overarching message in this plan is that we will involve our communities from the beginning through early engagement and continued effective consultation with residents, businesses and other key stakeholders. This consultation will inform the EIA and enable schemes to be adapted and reviewed to ensure they are inclusive and are designed in accordance with our public sector equality duty.

10 List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

- 10.1 Not applicable

11 Published documents referred to in this report

- 11.1 Decision 3939 dated 27 July 2020

- 11.2 Department for Transport's Active Travel Fund Local Transport Authority Allocations: <https://www.gov.uk/government/publications/emergency-active-travel-fund-local-transport-authority-allocations/emergency-active-travel-fund-total-indicative-allocations>.