

Decision Pathway Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 03 December 2019

TITLE	Access Fund Extension 2020/21	
Ward(s)	Citywide	
Author: Jacob Pryor	Job title: Principal Transport Planner	
Cabinet lead: Kye Dudd, Cabinet Member for Transport and Energy	Executive Director lead: Stephen Peacock, Executive Director of Growth and Regeneration	
Proposal origin: BCC Staff		
Decision maker: Cabinet Member		
Decision forum: Cabinet		
Purpose of Report:		
<ol style="list-style-type: none"> 1. A bid for £2.301m of revenue funding was submitted to the Department for Transport's (DfT) <i>Access Fund Extension 2020/21</i> grant on the 29/11/19, following an announcement of the competition on 01/11/19 2. Subject to notification from the DfT that the application has been successful, this report requests permission to accept the funding and deliver the project in partnership with the West of England councils - North Somerset, Bath & North East Somerset and South Gloucestershire councils – in the financial year 2020/21. 3. The bid will provide an additional year of funding to the council's existing Access WEST programme which is being delivered between 17/18 and 19/20 4. The bid requires a minimum of 10% match funding - £230,100 (10%) - to be sought from a combination of private sector and local match funding 5. The Access Fund Extension grant will continue the work undertaken in Access WEST, providing a range of behaviour change and engagement events alongside a package of incentives to encourage people to walk, cycle and use public transport more frequently. 6. The project will continue to work across 3 tranches: communities, schools and business and offer incentives such as free loan bikes and discounted bus tickets to help people access work, skills and training; match-funded grants for businesses to install sustainable travel infrastructure (e.g. lockers, bike stands) and support for schools to encourage pupils to walk more often. 7. The original Access WEST project bid submission which the extension funding would replicate (albeit with reduced targets reflecting a 1 year programme, compared to the initial 3 years granted) can be found here: https://travelwest.info/projects/access-west 		
Evidence Base:		
<p>Promoting sustainable forms of travel to citizens has a range of benefits, both for the individual and the city. Examples include economic benefits (through reduced absenteeism), health benefits (through increased physical activity), air quality benefits (through reduced NO₂ emissions), greenhouse gas reduction (through reduced CO₂ emissions) and congestion benefits (through more efficient use of roadspace) <i>Source: walking and cycling the economic benefits, TfL, 2018</i></p> <p>Evidence suggest that the most effective types of transport project are those that combine both infrastructure (requiring capital funding)) and engagement and promotional activities (requiring revenue funding) <i>Source: Finding the Optimum, Revenue/Capital Investment Balance for Sustainable Travel</i></p>		
Cabinet Member / Officer Recommendations:		
<ol style="list-style-type: none"> 1. Notes the funding bid detailed in the report recognising that if successful it will require match funding up to 		

£230,100 (10%)

2. Authorises the Executive Director for Growth and Regeneration (in consultation with the Director for Finance, the Director for Management of Place and the Cabinet Member for Transport and Energy), to accept the funding award and to thereafter deliver the project detailed in the report, including procurement of all necessary contracts (goods, services, or works) and including the use of council match-funding up to £231,000

Corporate Strategy alignment:

Well Connected: Take bold and innovative steps to make Bristol a joined up city, linking up people with jobs and each other

City Benefits:

Promoting Sustainable Transport will: improve health outcomes for our residents, reduce CO2, reduce air pollutants, reduce congestion and provide economic benefits.

Consultation Details:

As this fund is an extension of an existing project and will have no impact on the built environment no consultation is planned.

Background Documents:

The original Access WEST bid, on which this proposal is based, can be found here:
<https://travelwest.info/projects/access-west>

Revenue Cost	£2,532,000	Source of Revenue Funding	DfT Funding: £2,301,000 Local match/private sector funding: £230,100
Capital Cost	£N/A	Source of Capital Funding	N/A
One off cost <input checked="" type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input checked="" type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice: The Council has submitted a bid to DfT for £2.301m which has requirement to match fund at least 10% of the value of the bid. This report asked Cabinet to note that bids had been submitted in October 201 and for delegated authority to be granted to senior officers (as stated above) to accept any grants awarded and incur £2.532m expenditure to deliver the project as detailed.

Work is on-going to seek local match funding. If additional funding to match the 10% of the grant is not available will be funded from the transport capital programme budget. There are no on-going revenue implications as a result of the expenditure, any on-going maintenance or related costs would be met from existing budgets.

Finance Business Partner: Michael Pilcher, 21/11/2019

2. Legal Advice: Procurement

Provided the agreement is a grant agreement and not a contract for services, it will not need to be procured in compliance with the Public Contracts Regulations 2015. Client officers will need to seek legal assistance to ensure the agreement is a grant agreement.

Equalities

The Council must comply with the requirements of the Public Sector Equality duty when making any decisions. The duty requires the decision maker to consider the need to promote equality for persons with “protected characteristics” and to have due regard to the need to i) eliminate discrimination, harassment, and victimisation; ii) advance equality of opportunity; and iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it.

In order to do this the decision maker must have sufficient information about the effects of the proposed decision on the aims of the Duty. The Equalities Impact Assessment is designed to assist with compliance with this duty. Its purpose is to assess whether there are any barriers in place that may prevent people with a protected characteristic using a service or benefiting from a policy.

State Aid

Whenever the Council receives a benefit or gives a benefit to a third party, there is a risk that benefit may constitute

State aid, which is prohibited (unless it falls under one of the available exemptions).
 A benefit must meet a cumulative 4 limb test in order to constitute State aid. One of those limbs is that the beneficiary must be acting as an economic undertaking (e.g. buying and/or selling goods on a market). Provided the Council when spending the grant is not acting as an economic undertaking, the grant will not constitute state aid. When promoting sustainable transport the Council is unlikely to be acting as an undertaking, however the client officers will need to seek detailed legal advice regarding how the grant is to be used by the Council to ensure the Council is not acting as an economic undertaking, and so not in receipt of State aid.
 Legal advice will also need to be sought to ensure that any part of the grant transferred to any third parties by the Council does not at that point constitute State aid (or alternatively falls under one of the available exemptions, e.g. if a beneficiary receives grants from any source that constitute State aid, they will be permitted provided the total is less than E200k over any rolling 3 year period).

Legal Team Leader: Sinead Willis, Solicitor/Team Leader, 19/11/19

3. Implications on IT: No anticipated impact to IT Services

IT Team Leader: Simon Oliver, Director of Digital Transformation, 18/11/19

4. HR Advice: There are no HR implications evident

HR Partner: Celia Williams, HR Business Partner, Growth and Regeneration 18/11/19

EDM Sign-off	Denise Murray	25.11.19
Cabinet Member sign-off	Cllr Kye Dudd	19.11.19
For Key Decisions - Mayor's Office sign-off	Mayor's Office	13.11.19

Appendix A – Further essential background / detail on the proposal	NO
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	NO
Appendix F – Eco-impact screening/ impact assessment of proposal	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO