

## Record of operational decision

<b>Decision title:</b>	To agree the proposals to spend Active Travel England (ATE) Capability and Ambition Funding grant allocation
<b>Date of decision:</b>	
<b>Decision maker:</b>	Corporate Director of Economy and Environment
<b>Authority for delegated decision:</b>	<p>The Financial Procedural Rules within the council’s Constitution of 20 May 2022, (part 4 section 7) sets out that approval is required from the Chief Finance Officer (in consultation with Management Board and relevant Cabinet Member) for any application for external grant funding over £10,001.</p> <p><a href="#">Part 4 Section 7 Financial Procedures Rules.pdf (herefordshire.gov.uk)</a></p> <p>Following approval of the grant application, the Section 151 officer has signed off to accept and spend the funds offered by Active Travel England. This Record of Officer Decision sets out how these funds will be spent.</p>
<b>Ward:</b>	Countywide
<b>Consultation:</b>	Consultation has taken place with Cabinet Member for Infrastructure and Transport. The council’s procurement team were also consulted on this decision.
<b>Decision made:</b>	<ul style="list-style-type: none"> <li>• To spend the offered grants totalling £134,080.00 from Active Travel England (£33,562.00 accepted in October 2023 and £100,518.00 accepted in March 2024) as follows:             <ol style="list-style-type: none"> <li>1. To spend £81,000.00 (which includes a contingency of £11,000.00) to commission Phil Jones Associates (PJA) via the EPSO framework agreement to undertake the following additional work in order to complete the Countywide Local Cycling &amp; Walking Infrastructure Plan (LCWIP):                 <ul style="list-style-type: none"> <li>• Engagement and consultation</li> <li>• Network planning and prioritising future projects</li> <li>• Integration with the draft LCWIP for Hereford City</li> </ul> </li> <li>2. To spend the remaining £53,000 of grant funding to conduct scheme feasibility and outline design on priority measures identified within the LCWIP and to cover any internal costs incurred within the Council.</li> </ol> </li> </ul>
<b>Reasons for decision:</b>	<p>LCWIP Commission:</p> <p>1) ATE have been clear that local authorities are expected to have an LCWIP in place before bidding for capital and/or revenue funds for future active travel projects. Indeed, it is expected that any bid for funding without an LCWIP in place will be rejected except in exceptional circumstances.</p> <p>2) PJA developed the city elements of the LCWIP as part of the draft City Masterplan and are currently developing the countywide LCWIP. They are therefore familiar with the county, and have already collated a lot of the background evidence required to be able to expand the LCWIP to countywide. This will enable PJA to start work immediately. Using another company would result in repeated work being undertaken and a delayed start time.</p>

	<p>3) PJA co-authored the LCWIP guidance alongside the Department for Transport (DfT) in 2017 and therefore have extensive knowledge of the requirements of an LCWIP. They have also worked as trusted advisors to ATE for walking and cycling strategies and LCWIPs.</p> <p>4) PJA have experience on working on LCWIP's for other shire local authorities including Oxfordshire, Northamptonshire, Somerset and Lancashire.</p>
<p><b>Equality Considerations</b></p>	<p>Under section 149 of the Equality Act 2010 the 'general duty' on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to –</p> <ul style="list-style-type: none"> <li>a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.</p> <p>The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine 'protected characteristics' (age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation). This project aims to improve the infrastructure for visually impaired pedestrians, through the dropped kerb scheme, and use of tactile paving.</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p>1) PJA have already provided a quote for the additional Countywide LCWIP work and have provided confidence that the work will remain in budget.</p> <p>2) The additional work of public engagement and consultation was a recommendation from the Connected Communities Scrutiny Committee. At this time we do not have the in-house resource to conduct this ourselves and therefore need to outsource this task.</p> <p>3) Without a Countywide LCWIP in place this will hinder Herefordshire Council's ability to improve their capability self-assessment rating which will affect how much ATE grant funding the council can receive and/or bid for in future.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p>1) To not develop a LCWIP. This is not recommended because, without a LCWIP, it is most unlikely that any future active travel schemes would receive ATE or DfT funding, making it impossible to deliver the aspirations of the Hereford Masterplan or of the Local Transport Plan.</p> <p>2) To not commission PJA to undertake the countywide LCWIP. This is not recommended for the following reasons:</p> <p>I. this will add significant time to the overall programme and there is a risk that the LCWIP will not be completed by the timescale set out in the bid to ATE;</p>

	<p>II. The additional time required by an alternative consultant to get up to speed with the new LCWIP guidance and the work undertaken to date for the Masterplan could increase the overall cost of the commission, which hasn't been budgeted for in the bid.</p> <p>III. The risk of repeated work being conducted by the new consultant which will result in additional cost to the Council.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None recorded.</p>

Signed..... Date: