



OFFICER DECISION RECORD

This form should be used to record Executive decisions taken by Officers

Decision Ref. No:			
Service Area:	Infrastructure	Date:	24 March 2023
Contact Name:	Graham Farrant	Tel No:	01202 127976
E-mail:	graham.farrant@bcpcouncil.gov.uk		
Subject:	Acceptance of Active Travel Fund Tranche 4 (ATF4) funding		
Decision taken: To accept £3.78million of Active Travel Fund Tranche 4 (ATF4) grant from Active Travel England (ATE) for walking and cycling improvements.			
Reasons for the decision: The Council's Financial Regulations state that the acceptance of external funding of greater value than £1.0million requires Council approval in consultation with the Chief Financial Officer. ATE contacted the Council on 21 March 2023 advising that it required local authorities to complete acceptance of ATF4 grant by 24 March 2023. It is not possible to obtain Council approval by the 24 March 2023 deadline, hence, Chief Executive delegated powers to accept the funding on the grounds of urgency are being utilised.			
Background: In February 2023 the Council was advised that it had indicatively been allocated £1,383,545 of ATF4 grant by ATE and in order to potentially secure the grant that it needed to apply by 24 February 2023. The bid guidance also recommended that applicants apply for funding up to 300% higher than the indicative award. In line with the ATF4 bid guidance the Council submitted a bid of £4.15m on 24 February 2023. In compliance with the financial regulations this included approval of the Chief Financial Officer and consultation with the Portfolio Holder for Finance, Net Zero and Transport. On Tuesday 21 March 2023 ATE advised that it would soon be circulating grant documentation and grant determinations for ATF4 funding, with an instruction that signed S31 grant acceptance slips must be returned by close of business on Friday 24 March 2023. On Wednesday 22 March 2023 ATE advised the Council that it had been awarded £3.78million of ATF4 grant comprising £3,609,090 Capital and £170,910 Revenue.			

Due to the exceptionally short timescale, it is not possible in line with the Council's Financial Regulations, to obtain Council approval to accept the funding. Hence, this decision is being made by the Chief Executive on the grounds of urgency.

This action shall be reported to Cabinet and Full Council.

The bid itself was fully supported by the Leader of the Council and Portfolio Holder for Finance, Net Zero and Transport.

The schemes included in the bid are fully aligned with the Local Cycling and Walking Infrastructure Plan which was approved by Council in May 2022.

Delivery of the schemes must commence by the end of the 23/24 financial year. Resources have been planned and allocated accordingly within the Capital Programme for 23/24 and beyond.

Consultations undertaken:

None at this stage. Each scheme within the programme would be consulted upon prior to any physical works commencing. Statutory processes linked to any Traffic Regulation Order changes would be undertaken in line with the relevant statutory process.

Officers consulted:

- Jess Gibbons – Chief Operations Officer
- Julian McLaughlin – Service Director, Infrastructure
- Richard Pincroft – Head of Transportation
- Beth Barker-Stock – Sustainable Travel Team Leader

Councillors:

- Mike Greene – Portfolio Holder for Finance, Net Zero and Transport
- Philip Broadhead – Leader of the Council

Finance and Resourcing Implications

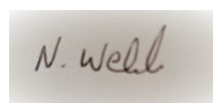
All resources and costs to deliver the schemes in accordance with the grant criteria are included within the funding, or already allocated through the LTP capital programme for 23/24.

Failing to accept the grant funding will mean that these prioritised and strategically important schemes would not be delivered.

Name: Nicola Webb

Date: 23/03/2023

Signature (of Assistant Chief Finance Officer):



Legal Implications:

This operational decision is taken by the Chief Executive using the Urgency powers delegated to him in Part 3 of the Constitution and set out below.

"Urgency (delegation 68)

In any case that they consider to be urgent, to undertake all action for the purposes of discharging any function and/or delivering any service (including power to authorise the seeking of an injunction / progressing an action for contempt), provided that:

(a) there is prior consultation with the Monitoring Officer;

(b) there is consultation with such Executive Member or Chair of an appropriate Committee as they consider is appropriate in the time available; and,
(c) to the extent it will incur expenditure from working balances and/or reserves, there is the prior approval of the Section 151 Officer.


For the purposes of exercising this power, all restrictions and/or limitations in the Employment Powers and in the Financial Regulations including the Financial Powers and the Procurement and Contract Procedure Rules are deemed waived and any decision may be made regardless of whether it is a Key Decision.

Any action taken in this way shall be reported to the next meeting of Cabinet and Full Council”.

ATE have set timescales for the acceptance of this grant which mean that the decision to do so will need to be taken before the next meeting of Cabinet or Council. An Extraordinary meeting is not appropriate at the present time, as BCP Council is in the pre-election period ahead of the Local Elections in May 2023.

Name: Susan Zeiss

Date: 23/03/23



Signature (of Monitoring Officer):


Risk Assessment:

Not being able to accept the ATF4 funding would result in the delay or non-delivery of Active Travel schemes in the BCP council area. This will impact on the propensity to shift to sustainable travel modes and make it more difficult to achieve reductions in traffic congestion, which in turn impact on air quality, the local economy, health and wellbeing and climate change targets.

Name: John McVey

Date: 22/03/23

Signature (of Officer Completing Assessment):



Impact Assessments:

All individual schemes will be subject to EIA and DIA at the relevant stages in their development.

No impact assessment has been undertaken in relation to the decision to accept the funding.

Information for publication

Yes

Background Papers

Appendix A

ATF4 BCP Council Letter of Support from Leader and Portfolio Holder

Appendix B

ATF4 submitted bid proforma – Programme Level

Any declaration of interest by the Officer responsible for the decision	Nature of Interest
Yes/No*	

Note: No Officer having a personal financial interest in any matter should take a decision on that matter. Other interests of a non-disqualifying matter should be recorded here.

Any conflict of interest declared by a Cabinet Member who is consulted by the Officer taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
Yes/No*			

I have consulted with the Leader of the Council and the Leader of the Opposition

Decision taken by: (print name and designation)

Graham Farrant – Chief Executive

Signature:



Date of Decision: 24/03/23

Date Decision Effective:

Date of Publication of record of decision: (to be inserted by Democratic Services)

Note: A record of this decision should be kept by the Service Area within which the decision falls.

