

Special Environment, Transport & Sustainability Committee

Date: **18 December 2020**
Time: **2.00pm**
Venue **Virtual Meeting (Microsoft Teams)**

Note: in response to current Government Regulations this meeting is being held as a virtual meeting for councillors. Public speaking and engagement opportunities will be made available.

The meeting will also be webcast live to the internet.

Members: **Councillors:** Heley (Chair), Lloyd (Deputy Chair), Wilkinson (Opposition Spokesperson), Wares (Group Spokesperson), Appich, Brown, Davis, Fowler, Hills and Williams

Contact: **John Peel**
Democratic Services Officer
01273 291058
john.peel@brighton-hove.gov.uk

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AGENDA

PROCEDURAL MATTERS

53 PROCEDURAL BUSINESS

- (a) **Declarations of Substitutes:** Where councillors are unable to attend a meeting, a substitute Member from the same political group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
 - (a) Disclosable pecuniary interests;
 - (b) Any other interests required to be registered under the local code;
 - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

Note: Any item appearing in Part Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and public. A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.

54 PUBLIC INVOLVEMENT

To consider the following matters raised by members of the public:

- (a) **Petitions:** To receive any petitions presented by members of the public;
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 14 December 2020;

- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 14 December 2020.

55 MEMBER INVOLVEMENT

To consider the following matters raised by Members:

- (a) **Petitions:** To receive any petitions;
- (b) **Written Questions:** To consider any written questions;
- (c) **Letters:** To consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

TRANSPORT & PUBLIC REALM MATTERS

56 EMERGENCY ACTIVE TRAVEL FUND – TRANCHE 2 TRANSPORT SCHEMES AND PLANS FOR CONSULTATION

5 - 66

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: Laura Wells

Tel: 01273 291028

Ward Affected: All Wards

57 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 30 January 2021 Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact John Peel, (01273 291058, email john.peel@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Thursday, 10 December 2020

Subject:	Emergency Active Travel Fund – Tranche 2 transport schemes and plans for consultation		
Date of Meeting:	18 December 2020		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	Laura Wells	Tel: 01273 291028
	Email:	laura.j.wells@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 At the Environment, Transport and Sustainability (ETS) committee on 29 September 2020 it was agreed that a report would be brought to a Special Committee meeting to agree the measures being taken forward and the associated consultation plan for the Emergency Active Travel Fund Tranche 2.
- 1.2 The Council is continuing to respond to the Covid-19 pandemic by providing safe access to walking and cycling routes in the city, in line with government instructions and funding. Government first announced the Emergency Active Travel Fund on 9 May 2020 and this funding has come in two tranches.
- 1.3 This report outlines the proposals for further temporary and permanent active travel measures to be implemented under the second tranche of funding and the detail of the associated plans for meaningful public consultation prior to them being put in place
- 1.4 In announcing the second Tranche of funding, government also announced the fund will be referred to as the Active Travel Fund, so hereafter shall be referred to as this within this report.

2. RECOMMENDATIONS:

That the Committee:

- 2.1 Agree to progress work on the five schemes presented in this report, to be delivered using Tranche 2 of the Active Travel Fund from Government.
- 2.2 Approve the plan for meaningful public and stakeholder consultation on these schemes, attached at Appendix 1, prior to their implementation.
- 2.3 Agree the proposed terms of reference for a new Active & Inclusive Travel Forum to facilitate positive and proactive discussion amongst key stakeholders on schemes and initiatives that support active and accessible travel for all and enable inclusive user experiences to inform future proposals.

- 2.4 Note the use of urgency powers in accordance with the Council's Standing Orders in August 2020 in relation to the temporary A259 cycle lane.

3. BACKGROUND INFORMATION

- 3.1 On 9 May 2020, Government issued statutory guidance note – 'Traffic Management Act 2004: network management in response to Covid-19' - instructing Local Authorities to take swift action "within weeks" to meaningfully reallocate road space to cycling and walking to provide the shortfall in transport capacity and further support change in travel habits before the restart of the economy takes full effect. To allow Local Authorities to implement these walking and cycling schemes, a £250million fund was also announced: the Emergency Active Travel Fund.
- 3.2 The Council was successful in bidding for funding from the first tranche of the Emergency Active Travel Fund and was awarded £663,625 to deliver a number of temporary schemes within eight weeks. The schemes were agreed by ETS Committee on 23 June 2020 as part of the Covid-19 Urgent Response Transport Action Plan ('Action Plan') and were successfully delivered by the Council within the required timeframe.
- 3.3 The Tranche 1 temporary schemes were introduced using the Experimental Traffic Regulation Order (ETRO) process. This has provided the flexibility to adapt the schemes in response to feedback and observations during the experimental period. A number of the ETROs have been amended since their introduction. This includes significant changes to the A259 temporary on-road cycle lane approximately one week after installation. A section of cycle lane between the Palace Pier Roundabout and West Street was removed using urgency powers by officers. The rationale for this was to ensure the bus network was running reliably by 5 September before schools reopened, as local bus operators expressed significant concerns about the impact of the scheme on local bus journey times when it was implemented. A record of the use of urgency powers to remove this section of the A259 temporary cycle lane is included in Appendix 2 for the Committee to note.
- 3.4 In July the Government announced indicative allocations for a second tranche of Active Travel funding and invited bids from Local Authorities for further temporary, low-cost schemes and permanent schemes with a short lead time. As with Tranche 1 the Department for Transport made it clear that bids must seek to meaningfully reallocate road space to pedestrians and cyclists, including along strategic corridors, to alter the status quo. Government also indicated that funding in the second tranche would depend on how swiftly and effectively authorities implemented the plans for which they received funding in the first tranche.
- 3.5 The Council submitted its bid for Tranche 2 of the Active Travel Fund in early August and on 13 November 2020 the government announced that Brighton & Hove City Council had been successful in securing £2,376,000; 100% of its indicative allocation.

- 3.6 On 16 October 2020 all Local Authorities received a letter from Grant Shapps, Secretary of State for Transport, in advance of a funding announcement for the Active Travel Fund Tranche 2 (attached at Appendix 3). This set out that government would only support and fund future schemes where *“genuine plans to consult communities”* have been demonstrated as well as schemes embracing *“good design principles.”*
- 3.7 A funding allocations letter was issued by the Secretary of State on 13 November 2020 (attached at Appendix 4), and on 20 November further guidance on consultation was issued by the Department for Transport alongside the award of Tranche 2 funding (attached at Appendix 5). The Secretary of State notes in his letter dated 13 November 2020 *“Consultation should include objective tests of public opinion, such as scientific polling, to cut through the noise and passion schemes can generate and gather a truly representative picture of local views. It can engage stakeholders, including local MPs, but it should not be confused with listening only to the loudest voices or giving any one group a veto.”* And goes on to add *“Very few changes to anything will command unanimous support, and we do not ask for it in these schemes. But there is clear evidence that for all the controversy they can sometimes cause, ambitious cycling and walking schemes have significant, if quieter, majority support.”*
- 3.8 In addition, the ‘Traffic Management Act 2004: network management in response to Covid-19’ document was updated by DfT on 13 November, particularly with regards to consultation. This guidance and the expectations of the Secretary of State have both been considered in the development of the consultation plan outlined in this report.
- 3.9 The focus both from DfT and locally is on long as well as short term issues and recovery. DfT note in their letter of 20 November that the Tranche 2 schemes should have more of an emphasis on increasing cycling and walking in the longer term in line with Government objectives set out in the national vision ‘Gear Change’. The council has committed to be carbon neutral by 2030 and investing in active travel schemes is a key element of this.

4. ACTIVE TRAVEL FUND TRANCHE 2 SCHEMES

- 4.1 For Tranche 2 of the active travel measures the delivery of the following schemes is proposed:
- **Old Shoreham Road A270** – continuation of temporary segregated cycle lanes from Hangleton Road to near the western city border (Applesham Way / Wolseley Road)
 - **Kingsway / Wellington Road A259** – continuation of temporary segregated cycle lanes from Fourth Avenue to the west
 - **London Road A23** – permanent upgrade of existing cycle lane to segregated cycle lanes and upgrades to key junctions
 - **Western Road** – permanent improvements for pedestrians, cyclists and bus users along this key corridor, to tie in with the Highway Maintenance Challenge Fund (HMCF) funding the council has already secured

- **Madeira Drive** - this scheme has already been agreed at ETS committee in September and work has begun on phase 1 – the road is now operating one-way eastbound following the full closure previously. Future works to be completed in phase 2 include provision of a cycle lane, increasing the number of blue badge bays, and changing orientation of pay & display parking– the scheme is being delivered under an Experimental Traffic Regulation Order and therefore consulted separately to the above (further information is provided in the ‘Consultation’ section below).

4.2 Some details have been amended from the original bid document in August, namely the substitution of a proposed temporary segregated cycle lane on Marine Parade with the changes proposed for Madeira Drive. The Marine Parade temporary cycle scheme was not achievable in the short term due to several factors including:

- Short term deliverability issues for this as a temporary scheme as there is a need to fit in with longer term plans for this area currently at design stage, including Valley Gardens Phase 3
- The need to consider bus movement and for which a temporary scheme would be particularly problematic due to not only the arrangements at bus stops themselves but bus movements approaching the Palace Pier Roundabout westbound, which would likely be adversely affected by a temporary scheme

4.3 Therefore, the Marine Parade route has been removed from this programme, this change has also been agreed with DfT. Further solutions are being considered for this route in the longer term within the strategic Local Cycling and Walking Infrastructure Plan (LCWIP), currently in development.

5. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

5.1 A ‘do nothing’ option has been considered, but is not appropriate as this is likely to result in:

- Pandemic emergency and further movement restrictions, social distancing and inability of the public transport network to support pre-covid levels of movement;
- Damage to the economy as people feel unsafe to travel;
- Inability for residents to comply with government guidance on ‘physical distancing’;
- Increased road danger as a result of higher vehicular traffic levels, speeds, collisions and harmful emissions;
- Modal shift away from sustainable modes to private cars;
- Increased inequalities as those that can work from home do so, or drive. National research shows these tend to be higher income earners;
- Weaker and less diverse economy as small businesses struggle to adapt to new conditions;
- Negative impacts on young people and children travelling independently and actively to schools;
- Difficulty in reaching our goal of carbon neutrality;
- A reduction in future funding allocations for local transport projects (from DfT); and
- Less safe conditions for cycling and walking for those who currently use or want to use these modes.

6. COMMUNITY ENGAGEMENT & CONSULTATION PLAN

- 6.1 This section of the report summarises the proposed public consultation plan for the Tranche 2 schemes, which is detailed further in Appendix 1.
- 6.2 At the 29 September 2020 ETS committee it was agreed to pause implementation of Tranche 2 schemes to ensure local residents and stakeholder groups are consulted and are able to input into the process. Officers were asked to plan a window of no less than 6-weeks to allow for meaningful consultation to take place, whilst not placing the Tranche 2 funding at risk.
- 6.3 Additionally, a condition of the Department for Transport grant award is that appropriate consultation takes place before scheme construction starts. Local Authorities must provide assurance of this by publishing their consultation plans by 11 December 2020 and confirming by 31 March 2021, that reasonable levels of consultation have been carried out and reasonable adjustments to schemes made in response to concerns. DfT have noted in their letter and guidance of 20 November 2020 that *'By "consultation plans" we mean plans for consultation activities, not consultation documents on the schemes themselves. These should set out when consultation activities are happening, who is being consulted and how they are being consulted so that it is transparent and clear to local stakeholders how local consultation is being undertaken.'*
- 6.4 DfT have set out a five-point plan for meaningful consultation which is set out in Appendix 1. If the conditions set out are not met, DfT will reduce future funding allocations for local transport measures. We are also awaiting further guidance from DfT for the undertaking of public surveys and opinion polls.

The proposed Tranche 2 consultation plan

- 6.5 A six-week period of public and stakeholder consultation is proposed to start no later than 1 February 2021 in order to fulfil the requirements set by ETS Committee and the Department for Transport. The outcomes of the consultation will then be presented to ETS committee, alongside final scheme proposals for approval, whose design will have been influenced by the consultation responses.
- 6.6 The consultation will entail four separate scheme consultations within the consultation period, for the Old Shoreham Road, A259 Kingsway / Wellington Road, A23 London Road and Western Road. For Madeira Drive the consultation will be through the Experimental Traffic Regulation Order (ETRO) formal process.
- 6.7 For Old Shoreham Road and A259 Kingsway / Wellington Road schemes, the whole scheme will be consulted on (i.e. also including phase 1 of both schemes, implemented in Tranche 1).
- 6.8 The objectives of the consultation will be to:
- Meaningfully consult with a wide audience of those who may be affected by / interested in the scheme/s,
 - Gather quantitative and qualitative feedback on the draft proposals to inform the scheme/s final design and implementation, and

- Identify key concerns / impacts of the proposals that may need to be managed and/or mitigated as part of the final design and implementation of schemes.

6.9 The approach to consultation will follow the Council’s community engagement principles, namely to:

- ◆ Have a clear purpose and ensure responses influence decisions,
- ◆ Tailor the consultation to people’s needs,
- ◆ Be inclusive,
- ◆ Use local knowledge and intelligence to target resources, and
- ◆ Be open and transparent.

6.10 Consultation methods for schemes are proposed as follows:

Delivery method	Audience	Details
Online questionnaire – BHCC website	City residents / businesses / visitors / groups or stakeholders with an interest / general public	Providing details of the schemes (including basic plans) and asking for responses via an online questionnaire. Accessible versions of the questionnaire will be available on request, i.e. paper copies / other languages. The online consultation portal hosting the questionnaire meets web content accessibility guidelines, including for use with speech recognition software and screen readers
Leaflet	Properties directly affected by schemes	Providing details of the proposed schemes (including basic plans) and asking for responses –submitting views via the online questionnaire or requesting a paper copy or other formats if required
Postcard	Wider boundary of properties affected	Providing summary information about the proposed schemes and inviting respondents to go online or request a paper questionnaire
Public opinion surveys	Representative members of the public	Building on the recent work of the Climate Assembly in Brighton & Hove, and to fulfil the DfT requirements for opinion polls, it is proposed that separately to the scheme-specific questionnaires, public opinion surveys will be carried out before and after implementation of schemes in order to understand the level of public feeling on active travel and the need for change in the city
Online – BHCC website and social media	Wider residents, businesses	Information to be put on the BHCC website and circulated via BHCC online channels to promote the consultation more widely with those not directly affected, with an option to request a paper questionnaire

Local community groups	Stakeholder groups (including community groups / partnerships, active travel groups, disability groups, older peoples' groups) and their members / users	Email information to be sent to known stakeholder groups in the city, including those who can disseminate information to hard-to-reach groups including older people
Online information sessions	Stakeholder groups	Hold online sessions for community and stakeholder groups, to present information and take questions, like would take place in a session in person. Stakeholders and community groups for the area of the city concerned to be invited to sessions for each proposed scheme
Local disability groups	Local residents with disabilities	<p>Accessible versions of the consultation information to be produced in conjunction with key disability groups in the city, in line with public sector accessibility regulations.</p> <p>Information to be disseminated to local equality and disability networks, including via the BHCC equalities team</p> <p>Focus group/s to be facilitated in conjunction with disability groups, to gather qualitative feedback about the impacts of the proposals from people with disabilities and older people.</p>
Email / phonecalls	Schools / Workplaces in affected areas	<p>Messaging to be distributed by School / Workplace Travel Teams, asking for the information to be forwarded to staff / parents & carers. Information to be disseminated to Workplace Active Travel & Health Partnership and potential for an online meeting to be held for the group</p> <p>Specific engagement to take place with the Business Improvement District and Chamber of Commerce, with option offered for online meetings to present the scheme / Q&A session</p>
Pupil engagement / feedback sessions	School pupils in areas near proposals (subject to school involvement)	Work to be carried out with the School Travel Team and Sustrans, who are already operating in schools, to inform and engage pupils in proposals being put forward and seeking feedback

Emails / phonecalls / meetings if required	Statutory stakeholders (e.g. emergency services) Transport operators Royal Mail Members of Parliament All Ward Councillors	To be undertaken by BHCC Project Manager for each scheme as standard
Partnership / stakeholder meetings	Key partner organisations including e.g. Transport Partnership, Equalities and Inclusion Partnership	Attend existing partnership and stakeholder meetings as scheduled during the consultation period (subject to invitation) to present information on the proposals, collect feedback and invite any further formal feedback from organisations via the online questionnaire
Online meeting / emails	Youth Council / Youth Climate Assembly	Present information to the assembly / council and to seek views and invite feedback

6.11 The impact of Covid-19 means that consultation activities will have to be planned in line with the latest government guidance and rules. This is likely to limit the Council's ability to hold face-to-face workshops or meetings as part of the consultation.

6.12 To ensure the consultation is fully accessible, additional consideration has been given to varying formats, including offering translation into different languages, interpretation and Easy Read.

6.13 A separate questionnaire will be carried out for each scheme so that the unique details of each change can be shared and directly affected properties can be notified of the most relevant impacts. These separate questionnaires will run during the same time period under a single consultation, so that overarching messaging, communications and wider promotion can be coordinated and released city-wide. As noted above, for Madeira Drive this will be dealt with separately to the four main scheme consultations for this plan, as it is being dealt with earlier than the other schemes and through the ETRO process. Communications activities will highlight the Madeira Drive element of the consultation and how feedback can be provided on the formal consultation for that scheme.

6.14 Public opinion surveys will also be carried out before and after scheme implementation, on a broader level, to understand the level of public feeling on active travel and the need for change in the city. These will build on the

knowledge gained as part of the recent Climate Assembly for Brighton and Hove, where the decarbonisation of transport was the focus.

- 6.15 Further detailed guidance is anticipated from DfT with regards to survey content, this will advise Local Authorities on the undertaking of effective public opinion surveys alongside survey frameworks and example questions.
- 6.16 The consultation will largely focus on conceptual designs for the Tranche 2 schemes, enabling public feedback to truly shape the final designs brought forward for approval. Because of this, it may also be necessary to undertake further public consultation on detailed designs later in 2021.

Public feedback survey on the current temporary changes

- 6.17 As the first tranche of temporary transport changes were introduced quickly, the Council received a high volume of public feedback and launched a public feedback survey to effectively channel and constructively collate and analyse the many views being shared. The survey has not been promoted as a formal consultation on the temporary schemes, as this is being conducted as part of the ETRO process. However, the results of the survey are reported to the committee as part of progress updates on the Action Plan, alongside other monitoring data.
- 6.18 To avoid confusion about where and how the public can formally submit their views on Tranche 2 proposals and to provide sufficient time to collate and analyse the survey results for the next Action Plan committee update, the existing public survey will close on 31 December 2020. This amends the current publicised closure date of 31 January 2021.
- 6.19 The highest number of responses to the public survey have been in relation to the A270 Old Shoreham Road and A259 temporary cycle lanes. To ensure people's views on these schemes can continue to be captured and so that the Tranche 2 proposals for these areas can be viewed holistically, the intention is to incorporate these elements into the planned period of formal consultation on Tranche 2.

Wider messaging and communications

- 6.20 Alongside the proposed consultation plan for Tranche 2, a communications plan has been developed to promote awareness of, and participation in, the consultation exercises, both in the run up to and during the consultation period. The plan details the approach and activities that will communicate not only *what* changes are proposed and *how* to respond, but also *why* they are needed and the *impact* they will have.
- 6.21 To improve the accessibility of the consultation and associated communications the Council is working in partnership with the pan-disability charity PossAbility People. This working relationship will also involve their support in gathering more qualitative feedback from the disabled community during the consultation period.

Stakeholder engagement on active travel

- 6.22 It is proposed that an Active and Inclusive Travel Forum be established with its purpose to provide a positive, proactive arena for the exchange of information and views on schemes and ideas that support more active forms of transport. This includes identifying issues/user experiences which can inform the development of future schemes and practical solutions to problems. In addition, the aim of the Forum will be to strengthen links between key stakeholders, providing an opportunity to develop initiatives in partnership that encourage people of all ages and abilities to travel more actively and influence behaviour change.
- 6.23 To ensure stakeholder engagement on the proposed changes is coordinated, well-managed and usefully informs the development and implementation of Tranche 2 schemes its inaugural meeting will take place during the public consultation period to feed representative views into this process.
- 6.24 It is envisaged that the Forum will meet throughout the delivery of the Active Travel Fund schemes and overarching Urgent Response Transport Action Plan, as well as tying in with the development of other key transport projects, such as the Local Cycling and Walking Infrastructure Plan (LCWIP) and the Local Transport Plan 5 (LTP5).
- 6.25 The creation of an Active and Inclusive Travel Forum is also intended to satisfy the Committee's request to establish a cycle forum; its resolution in response to a deputation on barriers to cycling heard earlier in the year.
- 6.26 Suggested terms of reference for an Active and Inclusive Travel Forum are in Appendix 6.

7. CONCLUSION

- 7.1 This report and accompanying documents set out the proposals for the Active Travel Fund Tranche 2 measures to be taken forward and associated consultation plan.
- 7.2 The ongoing response to Covid-19 both short and long term means it is essential that the Active Travel Fund Tranche 2 schemes are put in place in line with the wider Action Plan. DfT have stated that Tranche 2 is more about 'cementing the benefits and legacy of change' and our proposals reflect this. These schemes take advantage of external funding sources to address the Covid-19 response locally as well as longer term issues. Failure to put in place measures may cause further issues around social distancing and affect the Council's ability to provide alternative active travel choices to the public. Failure to propose schemes for active travel which are consulted on meaningfully may also put the council's funding at risk.

8. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 8.1 The actions and activities contained within this report will be funded from the Emergency Active Travel Fund grant (Tranche 2). The council has confirmed grant funding totalling £2,376,000 from government's Active Travel Fund Tranche 2 which will fund this work (notification letter from the Department for Transport dated 20 November 2020). The split of this grant funding is 80% Capital (£1,900,800) and 20% revenue (£475,200). Spending against this grant funding is required to be committed by the end of March 2021 and spent by the end of March 2022.
- 8.2 Schemes being approved at this committee are not at the detailed design stage and therefore the potential financial impact on parking revenue is not yet known. The detailed design of the relevant schemes will be brought back to committee for consideration and/or approval which will include any financial impact on parking revenues.

Finance Officer Consulted: Jess Laing

Date 08/12/2020

Legal Implications:

- 8.3 The schemes presented in this report can be implemented by means of traffic regulation orders using the Council's powers as highway authority under the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004.
- 8.4 The letter of 16 October 2020 from the Secretary of State for Transport and the statutory guidance entitled 'Traffic Management Act 2004: network guidance in response to Covid-19' requires local authorities to carry out consultations with all groups in the local community over proposed changes to the road network. The Council has a relatively broad discretion as to how such consultation is carried out but it should be widely publicised using various channels of communication.
- 8.5 The consultation steps set out in this report demonstrate that the Council will be following good practice in its efforts to engage with the local community over the planned schemes.

Legal Officer Consulted: Stephanie Stammers

Date: 8 December 2020

Equality Implications:

- 8.6 Statutory guidance issued in May 2020 by Government reiterates that the public sector equality duty continues to apply as Local Authorities make changes to their road networks in response to Covid-19, and the needs of disabled people and those with other protected characteristics must be considered. Accessibility requirements apply to temporary measures as they do to permanent ones.
- 8.7 The Council will aim to ensure that communications about the Tranche 2 changes and consultation on the proposals are inclusive and accessible. As well as making information available in different formats and languages to meet varying needs, it will be produced in plain English and tailored wherever possible. The planned consultation methods also include targeted activities with underrepresented and protected groups, to ensure their views of these are particularly considered.

- 8.8 In addition, equality impact assessments will be carried out on each proposed scheme and these will be available publicly. This may help respondents consider any potential disproportionate impacts of the proposals as they share their views.

Sustainability Implications:

- 8.9 The measures will improve the transport network for sustainable modes of transport by reallocating road space.

Public Health Implications:

- 8.10 The measures will support the improvement of public health through enhanced opportunities for physical distancing during the pandemic whilst travelling, securing essential supplies and exercising. Enabling greater uptake of active travel across the city will provide both short and long term benefits to the mental and physical health of our residents. This approach supports the implementation of the Brighton & Hove Health and Wellbeing Strategy.

Corporate / Citywide Implications:

- 8.11 The measures will support the existing Local Transport Plan 4 and the development of the new Local Transport Plan 5.

SUPPORTING DOCUMENTATION

Appendices:

1. Active Travel Fund Tranche 2 - Consultation Plan
2. Officer Decision Record – A259 Cycle Lane
3. Emergency Active Travel Funding update – Letter from the Secretary of State, October 2020
4. Active Travel Funding Tranche 2 Allocations – Letter from Secretary of State, November 2020
5. Active Travel Fund Tranche 2 Grant Award – Letter and guidance from the Department for Transport, November 2020
6. Active and Inclusive Travel Forum Terms of Reference

Background documents:

1. Urgent Response Transport Action Plan update – September 2020
2. Department for Transport - Traffic Management Act 2004: network management in response to Covid-19 – updated 13 November 2020

Consultation Plan –Active Travel Fund Tranche 2

8 December 2020

Background

BHCC submitted a bid for Tranche 2 of the Department for Transport (DfT)'s Emergency Active Travel Fund (EATF) (NB now referred to as Active Travel Fund (ATF)) on 7 August 2020 to support the design and delivery of five key Active Travel Corridor schemes in the city, including thirteen complementary measures. We submitted further supporting information (Value for Money letter and accompanying economic assessments) on 11 September 2020.

The key schemes are broadly:

1. **Old Shoreham Road A270** – continuation of existing temporary cycle route and associated complementary measures
2. **Kingsway / Wellington Road A259** – continuation of existing temporary cycle route
3. **London Road A23** – permanent improvements to existing cycle route and key junctions
4. **Western Road** - permanent pedestrian improvements

The fifth scheme included in the bid was Marine Parade A259. Since submitting the bid and upon further investigation of the proposed schemes, it is not proposed to take forward the Marine Parade scheme due to the difficulties in delivering this as a temporary scheme, particularly when considering bus movement in this key area of the city and learning from the issues experienced at Palace Pier Roundabout in Tranche 1, and the need to consider the scheme in the context of longer term plans for this area currently in development (for example Valley Gardens Phase 3). It is proposed to replace Marine Parade with the **Madeira Drive** scheme, which is evolving based on feedback from a previous experimental scheme - the road is now operating one-way eastbound following the full closure previously. Future works to be completed in phase 2 include provision of a cycle lane, increasing the number of blue badge bays, and changing orientation of pay & display parking. The change of scheme from Marine Parade to Madeira Drive has been agreed by DfT.

Alongside the infrastructure schemes, a number of supporting complementary behavioural change measures are planned, as well as a range of communication and consultation activities.

[Full details of the Tranche 2 bid](#) are published on the Council's website.

At the ETS committee on 29 September 2020, the following decisions were made with regards to ATF Tranche 2:

*(4) Agree to a pause in implementing Tranche 2 changes, in order to **ensure local residents and stakeholder groups are consulted and are able to offer input into the process**. Request that officers agree a window with the Department for Transport that allows for meaningful consultation to take place, without placing the Tranche 2 funding at risk, and our expectation is that this window be no less than 6 weeks.*

*(5) Agree that subject to the Council securing funding for Tranche 2 of the government's Emergency Active Travel Fund, a report is brought to a Special meeting of the Environment, Transport & Sustainability Committee to **agree the measures being taken forward and the associated consultation plan.***

The bid contained both temporary and permanent scheme elements, which will require different levels of design and construction, as well as different communications messaging.

On 13 November 2020 we were informed that we were successful in our Tranche 2 bid, receiving 100% of our funding allocation (£2.376m).

New requirements from DfT

The grant award letter from DfT highlights the importance of consultation and the local acceptance of schemes that work for their communities.

Local Authorities are now required to follow a 'five-point plan' from DfT as follows:

1. Publish detailed consultation plans to show how they will consult their communities before funding is released;
2. Show 'reasonable evidence' of consultation before schemes can be introduced;
3. Undertake appropriate public opinion surveys before and after implementation;
4. Submit monitoring reports on the implementation of schemes 6-12 months after their opening; and
5. Liaise closely with DfT on these requirements and attend briefing sessions where DfT will communicate the strengthened requirements in more detail.

If these conditions are not met, DfT will reduce future funding allocations for local transport measures. Furthermore, a new body - Active Travel England - is being set up by DfT and will provide quality assurance, support and review for local authority plans.

Consultation approach

The consultation on Tranche 2 schemes will be underpinned by the Council's community engagement framework and follow key principles:

1. Ensuring the consultation has a **clear purpose** and responses influence decisions.
2. Being flexible, so that engagement and consultation can be **tailored** to people's needs.
3. Being **inclusive**, ensuring a range of consultation methods are used to reach the widest range of people.
4. Ensuring Council **resources are well targeted**: local knowledge and intelligence is used to plan and deliver the consultation, and sufficient time is given to analyse feedback.
5. Being **transparent**, ensuring feedback is provided to participants and made publicly available.

The consultation will take place over a six-week period, starting no later than 1 February 2021, in order to fulfil the DfT requirements.

The overall consultation will entail **four separate scheme consultations** within the six-week period, which are the main focus of this plan, for the Old Shoreham Road, A259 Kingsway / Wellington Road, A23 London Road and Western Road. For Old Shoreham Road and A259 Kingsway / Wellington Road schemes, the whole scheme will be consulted on (i.e. also including phase 1 of both schemes, implemented in Tranche 1). For Madeira Drive the consultation will be delivered through the Experimental Traffic Regulation Order (ETRO) formal process, the scheme has already been amended based on feedback from previous ETRO consultations.

The consultation will largely focus on conceptual designs for the Tranche 2 schemes, enabling public feedback to truly shape the final designs brought forward for approval. Because of this, it may also be necessary to undertake further public consultation on detailed designs later in 2021.

Consultation objectives

Objectives of the consultation are as follows:

- To **meaningfully consult with a wide audience** of those who may be affected by / interested in the scheme/s
- To **gather quantitative and qualitative feedback** on the draft proposals to inform the scheme/s final design and implementation
- To **identify key concerns / impacts of the proposals** that may need to be managed and/or mitigated as part of the final design and implementation of schemes.

Consultation methods

The impact of Covid-19 means that consultation activities must be planned in line with the latest government guidance and rules. This will particularly limit the ability to hold face-to-face workshops / meetings as part of a consultation, however a range of methods are proposed as follows.

Delivery method	Audience	Details
Online questionnaire – BHCC website	City residents / businesses / visitors / groups or stakeholders with an interest / general public	Providing details of the schemes (including basic plans) and asking for responses via an online questionnaire. Accessible versions of the questionnaire will be available on request, i.e. paper copies / other languages. The online consultation portal hosting the questionnaire meets web content accessibility guidelines, including for use with speech recognition software and screen readers

Leaflet	Properties directly affected by schemes	Providing details of the proposed schemes (including basic plans) and asking for responses –submitting views via the online questionnaire or requesting a paper copy or other formats if required
Postcard	Wider boundary of properties affected	Providing summary information about the proposed schemes and inviting respondents to complete online or request a paper questionnaire
Public opinion surveys	Representative members of the public	Building on the recent work of the Climate Assembly in Brighton & Hove, and to fulfil the DfT requirements for opinion polls, it is proposed that separately to the scheme-specific questionnaires, public opinion surveys will be carried out before and after implementation of schemes in order to understand the level of public feeling on active travel and the need for change in the city
Online – BHCC website and social media	Wider residents, businesses	Information to be put on the BHCC website and circulated via BHCC online channels to promote the consultation more widely with those not directly affected, with an option to request a paper questionnaire
Local community groups	Stakeholder groups (including community groups / partnerships, active travel groups, disability groups, older peoples' groups) and their members / users	Email information to be sent to known stakeholder groups in the city, including those who can disseminate information to hard-to-reach groups including older people
Online information sessions	Stakeholder groups	Hold online sessions for community and stakeholder groups, to present information and take questions, like would take place in a session in person. Stakeholders and community groups for the area of the city concerned to be invited to sessions for each proposed scheme
Local disability groups	Local residents with disabilities	Accessible versions of the consultation information to be produced in conjunction with key disability groups in the city, in line with public sector accessibility regulations.

		<p>Information to be disseminated to local equality and disability networks, including via the BHCC equalities team</p> <p>Focus group/s to be facilitated in conjunction with disability groups, to gather qualitative feedback about the impacts of the proposals from people with disabilities and older people</p>
Email / phonecalls	Schools / Workplaces in affected areas	<p>Messaging to be distributed by School / Workplace Travel Teams, asking for the information to be forwarded to staff / parents & carers. Information to be disseminated to Workplace Active Travel & Health Partnership and potential for an online meeting to be held for the group</p> <p>Specific engagement to take place with the Business Improvement District and Chamber of Commerce, with option offered for online meetings to present the scheme / Q&A session</p>
Pupil engagement / feedback sessions	School pupils in areas near proposals (subject to school involvement)	Work to be carried out with the School Travel Team and Sustrans, who are already operating in schools, to inform and engage pupils in proposals being put forward and seeking feedback
Emails / phonecalls / meetings if required	<p>Statutory stakeholders (e.g. emergency services)</p> <p>Transport operators</p> <p>Royal Mail</p> <p>Members of Parliament</p> <p>All Ward Councillors</p>	To be undertaken by BHCC Project Manager for each scheme as standard
Partnership / stakeholder meetings	Key partner organisations including e.g. Transport Partnership, Equalities and Inclusion Partnership	Attend existing partnership and stakeholder meetings as scheduled during the consultation period (subject to invitation) to present information on the proposals, collect feedback and invite any further formal feedback from organisations via the online questionnaire

Online meeting / emails	Youth Council / Youth Climate Assembly	Present information to the assembly / council and to seek views and invite feedback

Consultation detail

The consultation will contain the following information for respondents to review:

- Background information on the Covid-19 changes, active travel and the need for the scheme (including reference to carbon neutral by 2030, clean air and public health benefits)
- Detail on what the scheme proposes and where this is
- Scheme diagram showing the proposals on a map
- Frequently Asked Questions (FAQs) on the scheme
- Information on what happens next
- Questionnaire to fill in

The consultation questionnaires (paper and online) – specific to each of the four schemes – will broadly seek the following information from respondents. Survey content will also be informed by further advice from DfT which is forthcoming:

- Method of travelling in the area before / after the pandemic
- If this mode of travel has changed as a result of the pandemic
- Likelihood of using the scheme (broken down by scheme elements where relevant e.g. main proposals and complementary measures)
- Factors that may encourage more use of cycling by the respondent
- Factors that may encourage more use of walking by the respondent
- Any improvements that could be made to the proposals (open comments)
- Any other comments (open comments)
- About you – residents / business / visitor (including name, address and, if applicable, organisation name)
- Equalities monitoring questions (to ensure the consultation responses are representative of the city and views from groups with protected characteristics are included)

The public opinion surveys, to be undertaken before and after scheme implementation, will seek the following information:

- Levels of understanding of the need for change for travel in the city
- Levels of support for improving air quality, improving road safety, reducing traffic congestion and noise
- Understanding of key local transport issues for the public

Timescales

A condition of the Department for Transport grant award is that appropriate consultation takes place before scheme construction starts. Local Authorities must provide assurance of this by publishing their consultation plans by 11 December 2020 and confirming by **31 March 2021**, that reasonable levels of consultation have been carried out and reasonable adjustments to schemes made in response to concerns.

It was agreed at September ETS committee that consultation will take place over a period of no less than six weeks. Working within the above timescales and requirements, it is proposed to run a six-week consultation starting **no later than 1 February 2021**.

DfT advised in their letter on 16 October *“In contrast to Tranche 1 funding, it is **more important that the schemes are delivered robustly and that community support for them is established than it is that they are delivered rapidly.**”*

Requirements from DfT in terms of scheme delivery are that schemes are committed by the end of March 2021 and **delivered no later than end of March 2022**.

Consultation outcomes

Following the six-week consultation, results will be collated and presented appropriately – both quantitative and qualitative data. Firstly this data will be reported as a summary to DfT by the end of March 2021 in order to fulfil the funding requirements. This will then inform the basis of an ETS committee report, along with detailed designs on schemes informed by the consultation feedback where appropriate, with recommendations based on the feedback in terms of how to take the schemes forward.

Post-scheme surveys

A key new requirement from DfT is the need to undertake public opinion surveys both before and after implementation, the post-scheme surveys will be informed by the first stage of consultation outlined above. Reports will be produced in line with monitoring of schemes 6-12 months after their opening and would include the results of local resident surveys that test the impact of schemes post-implementation.

This record relates to urgent decisions taken by Chief Officers under the Scheme of Delegation to Officers Paragraph 7(2).

**RECORD OF URGENT DECISION
TAKEN BY ASSISTANT DIRECTOR CITY DEVELOPMENT AND
REGENERATION**

**SUBJECT: Coved Transport Measures - Temporary Cycle Lane on the A259
between the Aquarium Roundabout and Fourth Avenue**

CONTACT OFFICER:

David Parker

**REASONS FOR URGENCY AND WHY NOT PRACTICABLE TO HOLD A SPECIAL
MEETING OR URGENCY SUB-COMMITTEE:**

A section of the newly installed temporary cycle lane between the aquarium roundabout and West Street needs to be removed as it is causing severe traffic congestion and is resulting in significant delays to the bus network.

There is a need to ensure the bus network is running reliably by 5th September before the schools reopen. This provides a very short window to mobilize contractors and undertake the work. Most of the temporary cycle lane will remain in place (from West Street to Fourth Avenue).

There have been strong representations from bus companies to explore mitigation measures and potential changes to the cycle lane.

There have also been strong representations from the public to remove the cycle lane.

**DETAILS AND OUTCOME OF CONSULTATION WITH THE CHAIR/DEPUTY CHAIR
OF RELEVANT COMMITTEE:**

Co-Chair agrees that action needs to be taken to remove that section of the temporary cycle lane.

DATE OF CONSULTATION WITH CHAIR/DEPUTY CHAIR:

24/08/2020

THE DECISION:

Take action need to remove the section of the temporary cycle lane between the aquarium roundabout and West Street.

REASONS FOR DECISION:

Severe traffic congestion resulting in significant delays to the bus network and the need to ensure the bus network is running reliably by 5th September before the schools reopen.

DETAILS OF ANY ALTERNATIVE OPTIONS CONSIDERED:

The alternative would be to not remove the cycle lane which would have serious implications for the road network as described above

LEGAL IMPLICATIONS:

The authorisation given by the ETS Committee covered the A259 westwards from the Aquarium Roundabout. Although the proposed removal of the section of the temporary cycle lane could arguably be done under officer powers, for the avoidance of doubt, it is considered more appropriate to use urgency powers. Given the need to act quickly and given the strength of feedback, the use of Officer Urgency Powers is appropriate.

The provision of the cycle lane was covered by an Experimental Traffic Regulation Order ("ETRO") under s9 of the Road Traffic Regulation Act 1984. The ETRO is currently out to consultation. However, s10 of the 1984 Act allows ETROs to be modified or suspended in certain circumstances, including where it appears that such modification /suspension "is in the interests of the expeditious, convenient and safe movement of traffic". In order to be so modified/suspended an ETRO has to expressly include this power and specify the officer who may exercise it. The cycle lane ETRO includes the relevant provisions. The legislation further provides that prior to exercising the power the appropriate chief officer of police must be consulted.

The legislation therefore allows for the ETRO to be modified as a result of the congestion outlined in this report, but will require consultation with the police.

Name: Hilary Woodward

Date 26/8/20

FINANCIAL IMPLICATIONS:

The cost of the works to remove the length of cycle lane is estimated to be approximately £5,000. This will be covered from the existing Local Transport Plan budget. Officers will explore the implication of this decision on the original grant funding from government.

Name: Nigel Manvell

Date 27/08/2020

DATE OF NEXT COMMITTEE MEETING TO WHICH THE DECISION WILL BE REPORTED:

28th September 2020



Signed:

Date: 27th August 2020

Assistant Director City Development & Regeneration, in the absence of the Executive Director Economy, Environment and Culture

Logged by Democratic Services Officer for Annual Report:

Name:

Date:



Department
for Transport

From the Secretary of State
The Rt. Hon. Grant Shapps

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: grant.shapps@dft.gov.uk

Web site: www.gov.uk/dft

Our Ref: MC/313688
Your Ref: ST84726

To Local Transport Authority Leaders

16th October 2020

Dear Councillors,

Emergency Active Travel Funding Update

I'm writing to you today about the Emergency Active Travel Fund, ahead of any formal allocations from the second round of funding.

Before turning our attention to the second round of funding, I want to look at what has worked well so far, and what has worked less well. While I recognise that all Local Authorities put in a huge amount of effort, at a very challenging time for our nation, to deliver on Government plans for active travel to help maintain social distancing, there are some important lessons to be learned.

A great number of schemes have represented smart and considered use of the funding, which has genuinely improved the local transport networks in areas, and helped improve the lives of local residents and all road users. We know that the majority of people support reallocation of road space for cycling and walking in their local area, and quality schemes such as these will only serve to further enhance this support.

However, there were a significant minority of instances where schemes were, frankly, nowhere near good enough. A notable number of councils used their funding poorly and were simply out of step with the needs of their local communities.

I saw or heard from the public and parliamentary colleagues about far too many instances where temporary cycle lanes were unused due to their location and design, while their creation left motor traffic backed up alongside them; of wide pavements causing unnecessary congestion in town centres; and other issues that many have, rightly, reacted angrily too.

Some weeks ago I asked my officials to engage with local authorities where I had concerns. Since then, numerous schemes have been scaled back and revised. I am pleased with this but the work will continue where local residents continue to have concerns.

The objectives of the fund are important ones, and schemes supported by the fund have an essential part to play in delivering the aims set out in our “Gear Change” plan. We all want to see the benefits that active travel brings to be realised, but poorly implemented schemes will make no friends for the policy or more broadly for active travel. If we want people to see this funding – a substantial amount designed to redesign transport space to benefit all road users – in a positive light, then we have to ensure it is used well.

That is why in the second tranche of funding, those authorities which have demonstrated genuine plans to consult their local communities and embrace good design principles will receive all of or, in some cases, more funding than their indicative allocations. Those authorities that have not been able to demonstrate this to the same extent will receive less, and in some cases considerably less, funding than their indicative allocations.

There is no ‘one size fits all’ approach here. Different types of schemes will be appropriate in different areas of the country. For example, what is appropriate in a major urban area may not be what is suitable in rural towns, where people are more likely to be reliant on private vehicles. The crucial test is, does it deliver for the community it serves, and has it been done with their consultation.

Schemes must balance the needs of cyclists and pedestrians with the needs of other road-users, including motorists and local businesses. Only authorities which have passed these key tests will receive the funding they have asked for.

I want to be absolutely clear: we are not prepared to tolerate hastily introduced schemes which will create sweeping changes to communities without consultation, and ones where the benefits to cycling and walking do not outweigh the dis-benefits for other road users.

I look forward to seeing the funding go toward genuinely positive changes to our roads, to make sure that everyone has the space and ability to move easily and without delay, no matter their transport type. I would like to thank you for all of your efforts in delivering such schemes in what are very testing times.

No one should be in doubt about our support for motorists. This Government is investing £27 billion to upgrade our roads and more to tackle potholes. We’re also investing in charging infrastructure to speed the transition to the electric vehicles, which will allow motorists the same freedom while meeting our commitments to tackle climate change.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Grant Shapps', written in a cursive style.

Rt Hon Grant Shapps MP

SECRETARY OF STATE FOR TRANSPORT



**Department
for Transport**

From the Secretary of State
The Rt. Hon. Grant Shapps

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: grant.shapps@dft.gov.uk

Web site: www.gov.uk/dft

Cllr Phélim MacCafferty
Leader of Brighton and Hove Council

13 November 2020

Dear Cllr Phélim MacCafferty,

Active Travel Funding Tranche 2 Allocations

Further to my letter of 16 October, I am now writing with details of your authority's final allocation for tranche two of the Active Travel Fund. I am pleased to award Brighton and Hove Council £2,376,000 for delivery of tranche 2 schemes. This will be split 80% CDEL and 20% RDEL. A formal Section 31 grant offer letter will follow shortly. I am grateful to your staff for putting together and submitting proposals over the busy summer period which I know was a testing time for all local authorities.

A list of final allocations awarded to local authorities is attached at annex A, and these will also be published on gov.uk. Authorities will receive either 125%, 100%, 95%, 75% or 60% of their indicative allocations based on the strength of their bids. Where authorities have received significantly less than their indicative allocations, this is due to their proposals being less aligned with the objectives of the fund than those of other authorities. Feedback will be provided where this is the case.

I look forward to seeing this investment in active travel delivering an attractive alternative to the travelling public for shorter journeys, and supporting the Government's drive to tackle obesity given its association with COVID-19. As in our original letter and in the guidance we issued in May, to receive any money under this tranche, you needed to show us meaningful plans to reallocate roadspace to active travel. Anything that did not meaningfully alter the status quo on the road would not be funded.

All this still applies, but experience in the five months since the funding was announced shows that some forms of roadspace reallocation have been more

effective than others. Reducing traffic around schools and giving cyclists protection with segregated lanes have made it easier and safer to choose to cycle or walk to work or school.

In contrast, as I wrote recently, the temporary pavement extensions installed by many authorities in town centres using barriers up to four feet high have often been less effective. They may prevent pedestrians from crossing the road, cause congestion for buses and motor traffic, narrow streets to the detriment of cyclists, and impede access and parking for the kerbside businesses which cluster in these areas. Yet they also appear to be relatively little used by the pedestrians for whom they were intended. I don't want this sort of scheme to undermine the fact that this Government is committed to ensuring all journeys are safe, reliable and efficient for drivers and businesses, including by investing over £27 billion over the next five years through Highways England's roads plan to ensure the road network is fit for the future.

The Department is also therefore publishing today revised statutory Network Management Duty guidance which emphasises, among other things, the importance of consultation on permanent schemes. This second tranche of funding will be much more for permanent schemes than the first, so we expect local authorities to consult more thoroughly than on the temporary schemes you did in the first wave. Councils must develop schemes that work for their communities. I have set out my requirements in full at annex B. Consultation should include objective tests of public opinion, such as scientific polling, to cut through the noise and passion schemes can generate and gather a truly representative picture of local views. It should engage stakeholders, including local MPs, but it should not be confused with listening only to the loudest voices or giving any one group a veto. Before starting work, we will ask you to confirm in writing how you have consulted. Within twelve months of completing work, we will ask you to report on the impacts that schemes have had.

Very few changes to anything will command unanimous support, and we do not ask it for these schemes. But there is clear evidence that for all the controversy they can sometimes cause, ambitious cycling and walking schemes have significant, if quieter, majority support. In recent surveys by my Department, 65 per cent of people across England supported reallocating road space to walking and cycling in their local area and nearly eight out of ten people support measures to reduce road traffic in their neighbourhood.

In individual neighbourhoods from which through traffic has been removed, surveys again find that clear majorities of residents welcome the schemes and want them to stay. Evidence also shows that these schemes are

effective. Evaluation of early School Streets projects has shown traffic outside schools has reduced on average by 68%, children cycling to school has increased by 51%, and harmful vehicle pollution outside schools is down by almost three-quarters.

Funding should, as far as possible, be committed by the end of the current financial year, and schemes delivered as soon as reasonably possible thereafter. In contrast to tranche 1 funding, it is more important that the schemes are delivered robustly and that community support for them is established than it is that they are delivered rapidly.

We also remind you that all new schemes should comply with the newly-updated Cycle Infrastructure Design Guidance, published in July, available at <https://www.gov.uk/government/publications/cycle-infrastructure-design-ltn-120> . Active Travel England, once established, will review the quality of schemes delivered by local authorities with this funding, and will take this into account in its reports of local authorities' performance on active travel. The Department reserves the right to reduce future funding, for active travel or other purposes, where consultation and design quality conditions are not met.

Thank you once again for your support for active travel.

Yours ever,

A handwritten signature in black ink, appearing to read 'Grant Shapps', written in a cursive style.

Rt Hon Grant Shapps MP
SECRETARY OF STATE FOR TRANSPORT

Active Travel Fund: final funding allocations

Combined authorities

Authority name	Final allocation tranche 1 (£)	Final allocation tranche 2 (£)	Total (£)
Cambridgeshire and Peterborough CA	642,429	1,724,250	2,366,679
Greater Manchester CA	3,174,000	15,871,250	19,045,250
Liverpool City Region CA	1,974,000	7,896,000	9,870,000
Transport for London	5,000,000	20,000,000	25,000,000
North East JTC	2,262,000	9,049,000	11,311,000
Sheffield City Region CA	1,437,000	5,461,550	6,898,550
Tees Valley CA	481,542	1,722,000	2,203,542
West Midlands ITA	3,850,997	13,097,650	16,948,647
West of England CA	827,895	2,964,000	3,791,895
West Yorkshire CA	2,513,000	10,053,000	12,566,000

Local authorities

Authority name	Final allocation tranche 1 (£)	Final allocation tranche 2 (£)	Total (£)
Bedford UA	30,250	363,750	394,000
Blackburn with Darwen UA	77,000	292,600	369,600
Blackpool UA	26,000	312,000	338,000
Bournemouth, Christchurch and Poole UA	312,835	1,062,100	1,374,935
Bracknell Forest UA	57,000	181,800	238,800
Brighton and Hove UA	663,657	2,376,000	3,039,657
Buckinghamshire	513,943	1,748,000	2,261,943
Central Bedfordshire UA	223,454	600,000	823,454
Cheshire East UA	155,000	588,050	743,050
Cheshire West and Chester UA	161,000	611,800	772,800
Cornwall UA ¹	152,000	607,000	759,000
Cumbria	260,323	886,350	1,146,673
Derby UA	227,923	776,150	1,004,073
Derbyshire	443,000	1,684,350	2,127,350
Devon	338,000	1,283,450	1,621,450
Dorset	128,486	438,900	567,386
East Riding of Yorkshire UA	123,000	467,400	590,400
East Sussex	535,171	1,820,200	2,355,371
Essex	968,500	7,358,700	8,327,200
Gloucestershire	321,773	864,750	1,186,523
Hampshire	863,000	3,280,350	4,143,350
Herefordshire, County of UA	20,000	120,000	140,000
Hertfordshire	1,247,329	6,451,450	7,698,779
Isle of Wight UA	62,000	235,600	297,600

Kent	1,600,000	6,098,050	7,698,050
Kingston upon Hull, City of UA	272,000	1,035,500	1,307,500
Lancashire	782,087	2,801,000	3,583,087
Leicester UA	405,568	1,378,450	1,784,018
Leicestershire	335,180	900,000	1,235,180
Lincolnshire	105,500	799,900	905,400
Luton UA	216,000	822,700	1,038,700
Medway UA	242,500	927,000	1,169,500
Milton Keynes UA	228,000	684,750	912,750
Norfolk	295,500	1,498,150	1,793,650
North East Lincolnshire UA	42,000	319,200	361,200
North Lincolnshire UA	41,000	154,850	195,850
North Somerset UA	106,140	473,750	579,890
North Yorkshire	133,000	1,011,750	1,144,750
Northamptonshire	351,000	1,332,850	1,683,850
Nottingham UA	569,806	2,039,000	2,608,806
Nottinghamshire	263,250	2,178,350	2,441,600
Oxfordshire	298,500	2,985,000	3,283,500
Plymouth UA	249,000	945,250	1,194,250
Portsmouth UA	214,515	461,400	675,915
Reading UA	221,250	1,179,000	1,400,250
Rutland UA	2,500	36,100	38,600
Shropshire UA	86,000	259,500	345,500
Slough UA	205,577	552,000	757,577
Somerset	120,000	457,900	577,900
Southampton UA	245,000	1,225,000	1,470,000
Southend-on-Sea UA	309,000	927,000	1,236,000
Staffordshire	183,000	1,832,500	2,015,500
Stoke-on-Trent UA	126,000	504,750	630,750
Suffolk	376,519	1,685,000	2,061,519
Surrey	848,000	6,445,750	7,293,750
Swindon UA	214,515	731,500	946,015
Telford and Wrekin UA	76,000	229,500	305,500
Thurrock UA	288,000	690,000	978,000
Torbay UA	41,250	132,600	173,850
Warrington UA	130,000	650,000	780,000
Warwickshire	129,000	979,450	1,108,450
West Berkshire UA	124,000	495,000	619,000
West Sussex	781,000	2,351,250	3,132,250
Wiltshire UA	227,000	681,000	908,000
Windsor and Maidenhead UA	140,000	335,400	475,400
Wokingham UA	76,000	576,650	652,650
Worcestershire	135,500	649,200	784,700
York UA	193,287	658,350	851,637

Active Travel Fund: Strengthening consultation on tranche 2 schemes

Local authorities are required to:

1. Publish detailed consultation plans to show how they will consult their communities before funding is released;
2. Show 'reasonable evidence' of consultation before schemes can be introduced;
3. Undertake appropriate public opinion surveys before and after implementation;
4. Submit monitoring reports on the implementation of schemes 6-12 months after their opening;
5. Liaise closely with the Department on these requirements and attend briefing sessions where the Department will communicate the strengthened requirements in more detail;

If these conditions are not met, the Department will reduce future funding allocations for local transport measures.

As part of the new body's quality assurance remit, Active Travel England will both support and review local authority plans for stakeholder consultation on future schemes and investment plans.



Department
for Transport

Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Tel: 0300 330 3000

Web Site: www.gov.uk/dft

Mark Prior

Brighton and Hove Council

mark.prior@brighton-hove.gov.uk;

20 November 2020

Dear Mark Prior

**Active Travel Fund Tranche 2 – Grant award letter (2020-21): No
31/5245 31/5246**

I am writing to confirm the funding that the Department for Transport will make available to you under the second tranche of the Active Travel Fund (ATF) 2020/21.

Your ATF funding will be paid as capital and revenue grant under Section 31 of the Local Government Act 2003. The full and final allocations are attached at Annex A2 and Annex B2.

Your grant is awarded on the understanding that your authority will deliver the objectives as set out in your original bid. We appreciate that, during implementation, opportunities or challenges may arise that require a change to your project in order for outcomes to be realised to their full potential. Any material changes should be reported to the Department. Should your ability to deliver the objectives for which funding was awarded be significantly compromised, the Department reserves the right to amend future funding provision as appropriate.

Feedback on bids is provided where applicable at Annex C. In some cases, further evidence is required to confirm scope of schemes (e.g. to appropriate design standards), value for money and/or delivery arrangements. This evidence will need to be provided before payments are made, alongside publication of short consultation plans for your schemes. This should set out how consultation activities will be undertaken, who will be consulted and when. These form part of the strengthened consultation requirements set out at Annex E, which have now been briefed to senior local authority officials following Secretary of State's letter of 16 October to authority leaders. A set of FAQs is also attached at annex F, to clarify a number of points which came up at these briefing sessions.

All authorities will be expected to participate in monitoring and evaluation activities for the ATF and provide data on the deliverables that have resulted from this fund (or to which this fund has contributed) in the form of output monitoring data. This will need to be submitted to Department at the point that the majority of schemes are complete and at 6 and 12 months after completion.

In addition, all authorities should formally evaluate schemes funded via the ATF, and some projects will be identified for inclusion in the national programme-level evaluation. The level of evaluation required will be proportionate to the size, value and nature of individual schemes and programmes. DfT is updating its Monitoring & Evaluation guidance which will set out what is required for different types of intervention. Specific data will need to be provided to DfT to feed into a meta-analysis of the ATF. A summary of this is presented below.

- Authorities delivering schemes and programmes costing more than £2m are required to design and implement their own M&E processes to measure the outputs, outcomes and impacts of the intervention and submit these to DfT for review prior to the start of construction.
- Authorities are also strongly encouraged to carry out a formal evaluation of schemes and programmes valued at £1-2m. Where feasible they should design and implement a proportionate M&E programme to understand the impact of the intervention.

DfT are commissioning a National Evaluator (NE) who will have responsibility for programme-level evaluation of the ATF. This will include conducting the meta-analysis of higher value interventions as well as evaluation of a sub-set of lower-value schemes and those considered to be novel or contentious. The NE will select a sample of schemes to include in the national evaluation. All authorities should be prepared to participate in the national evaluation, and work with the NE to develop appropriate monitoring and evaluation plans if selected. The national evaluation will be funded by DfT. To avoid duplication of effort and ensure value for money to the taxpayer, the NE will draw on evaluation data collected as part of evaluations undertaken by authorities where available. The NE will also offer advice and support on the design and

implementation of evaluation plans to authorities delivering higher value schemes and programmes and to those selected to be part of the national evaluation.

Further guidance on monitoring and evaluation requirements and on conducting public opinion surveys under ATF will be shared with authorities shortly.

Our grants may be audited by the Department or external auditors, and if this is the case, the Department will notify your authority in writing. Authorities are expected to comply with any such arrangements. You should familiarise yourselves with the Fraud Act 2006 and the Bribery Act 2010 when making claims, and in provision of funding to partner organisations. Personal information collected for grant purposes will be used by the Department for Transport for administering the fund. We may share information for the purposes of countering fraud or otherwise as required or permitted by law. The Department will observe its obligations under the Data Protection Act 1998 in responding to requests made under the Freedom of Information Act 2000. Where a request includes personal information that you have provided, we will consult you before deciding whether such information should be disclosed.

Please sign and date the grant acceptance slip at Annex D and return it to the walking.cycling@dft.gov.uk along with notification of publication of consultation plans (a weblink would suffice) and any further evidence required by 11 December. The grant will be paid in a one off payment in full on receipt of your signed acceptance slip and other documentation.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'R Furness', with a long horizontal stroke extending to the right.

Rupert Furness

Annexes:

Annex A – Grant Determination (Capital)

Annex A1 – Capital Grant Conditions

Annex A2 – Capital Grant Allocations

Annex B – Grant Determination (Revenue)

Annex B1 – Revenue Grant Conditions

Annex B2 – Revenue Grant Allocations

Annex C – Bid Feedback and Further Evidence Required

Annex D – Grant Acceptance Slip

Annex E1 – ATF Tranche 2 Consultation Requirements

Annex E2 – Process Map for Consultation and Delivery Arrangements

Annex F – ATF Tranche 2 FAQs

Annex A

ACTIVE TRAVEL FUND (CAPITAL) GRANT DETERMINATION (2020-21): No 31/5246.

The Minister of State for Transport (“the Minister of State”), in exercise of the powers conferred by section 31 of the Local Government Act 2003, makes the following determination:

Citation

1) This determination may be cited as the Active Travel Fund Determination (2020-21) [No31/5246].

Purpose of the grant

2) The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred or to be incurred by them.

Determination

3) The Minister of State determines as the authorities to which grant is to be paid and the amount of grant to be paid, the authorities and the amounts set out in Annex A2.

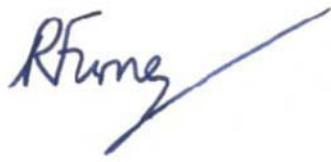
Grant conditions

4) Pursuant to section 31(3) and 31(4) of the Local Government Act 2003, the Minister of State determines that the grant will be paid subject to the conditions in Annex A1.

Treasury consent

4) Before making this determination in relation to local authorities in England, the Minister of State obtained the consent of the Treasury.

Signed by authority of the Minister of State for Transport

A handwritten signature in blue ink, appearing to read 'R Furness', with a long, sweeping horizontal stroke extending to the right.

Rupert Furness
Deputy Director, Active and Accessible Travel, Department for Transport

20 November 2020

ANNEX A1

Active Travel Fund

1. This funding will be paid via a grant under Section 31 of the Local Government Act 2003. Available online here:
<http://www.legislation.gov.uk/ukpga/2003/26/section/31>
2. For any grant, Government is required to monitor the effectiveness of any public investment. We therefore ask that you to have robust monitoring and evaluation plans in place.
3. This grant may be subject to State Aid regulations. It is the responsibility of local authorities to satisfy themselves that they are State Aid compliant when using the Emergency Active-Travel Fund. Local authorities should ensure that their project teams are versed on State Aid law, as they are better placed to provide support on the operational matters within the authority. Guidance on State Aid is available from: <https://www.gov.uk/state-aid>.

Annex A2 ATF capital grant awards

Bedford UA	£291,000
Blackburn with Darwen UA	£234,080
Blackpool UA	£249,600
Bournemouth, Christchurch and Poole UA	£849,680
Bracknell Forest UA	£145,440
Brighton and Hove UA	£1,900,800
Buckinghamshire	£1,398,400
Cambridgeshire and Peterborough CA	£1,379,400
Central Bedfordshire UA	£480,000
Cheshire East UA	£470,440
Cheshire West and Chester UA	£489,440
Cornwall UA1	£485,600
Cumbria	£709,080
Derby UA	£620,920
Derbyshire	£1,347,480
Devon	£1,026,760
Dorset	£351,120
East Riding of Yorkshire UA	£373,920
East Sussex	£1,456,160
Essex	£5,886,960
Gloucestershire	£691,800
Greater Manchester CA	£12,697,000
Hampshire	£2,624,280
Herefordshire, County of UA	£96,000
Hertfordshire	£5,161,160
Isle of Wight UA	£188,480

Kent	£4,878,440
Kingston upon Hull, City of UA	£828,400
Lancashire	£2,240,800
Leicester UA	£1,102,760
Leicestershire	£720,000
Lincolnshire	£639,920
Liverpool City Region CA	£6,316,800
Luton UA	£658,160
Medway UA	£741,600
Milton Keynes UA	£547,800
Norfolk	£1,198,520
North East JTC	£7,239,200
North East Lincolnshire UA	£255,360
North Lincolnshire UA	£123,880
North Somerset UA	£379,000
North Yorkshire	£809,400
Northamptonshire	£1,066,280
Nottingham UA	£1,631,200
Nottinghamshire	£1,742,680
Oxfordshire	£2,388,000
Plymouth UA	£756,200
Portsmouth UA	£369,120
Reading UA	£943,200
Rutland UA	£28,880
Sheffield City Region CA	£4,369,240
Shropshire UA	£207,600
Slough UA	£441,600

Somerset	£366,320
Southampton UA	£980,000
Southend-on-Sea UA	£741,600
Staffordshire	£1,466,000
Stoke-on-Trent UA	£403,800
Suffolk	£1,348,000
Surrey	£5,156,600
Swindon UA	£585,200
Tees Valley CA	£1,377,600
Telford and Wrekin UA	£183,600
Thurrock UA	£552,000
Torbay UA	£106,080
Warrington UA	£520,000
Warwickshire	£783,560
West Berkshire UA	£396,000
West Midlands ITA	£10,478,120
West of England CA	£2,371,200
West Sussex	£1,881,000
West Yorkshire CA	£8,042,400
Wiltshire UA	£544,800
Windsor and Maidenhead UA	£268,320
Wokingham UA	£461,320
Worcestershire	£519,360
York UA	£526,680

Annex B

ACTIVE TRAVEL FUND (REVENUE) GRANT DETERMINATION 2020-21: No 31/5245.

The Minister of State for Transport (“the Minister of State”), in exercise of the powers conferred by section 31 of the Local Government Act 2003, makes the following determination:

Citation

1) This determination may be cited as the Active Travel Fund [No31/5245].

Purpose of the grant

2) The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred or to be incurred by them.

Determination

3) The Minister of State determines as the authorities to which grant is to be paid and the amount of grant to be paid, the authorities and the amounts set out in Annex B2.

Grant conditions

4) Pursuant to section 31(3) and 31(4) of the Local Government Act 2003, the Minister of State determines that the grant will be paid subject to the conditions in Annex A.

Treasury consent

5) Before making this determination in relation to local authorities in England, the Minister of State obtained the consent of the Treasury.

Signed by authority of the Minister of State for Transport



Rupert Furness
Deputy Director, Active and Accessible Travel, Department for Transport

20 November 2020

ANNEX B1

Active Travel Fund

1. This funding will be paid via a grant under Section 31 of the Local Government Act 2003. Available online here:
<http://www.legislation.gov.uk/ukpga/2003/26/section/31>
2. For any grant, Government is required to monitor the effectiveness of any public investment. We therefore ask that you have robust monitoring and evaluation plans in place.
3. This grant may be subject to State Aid regulations. It is the responsibility of local authorities to satisfy themselves that they are State Aid compliant when using the Emergency Active-Travel Fund. Local authorities should ensure that their project teams are versed on State Aid law, as they are better placed to provide support on the operational matters within the authority. Guidance on State Aid is available from: <https://www.gov.uk/state-aid>.

Annex B2 – ATF revenue grant awards

Bedford UA	£72,750
Blackburn with Darwen UA	£58,520
Blackpool UA	£62,400
Bournemouth, Christchurch and Poole UA	£212,420
Bracknell Forest UA	£36,360
Brighton and Hove UA	£475,200
Buckinghamshire	£349,600
Cambridgeshire and Peterborough CA	£344,850
Central Bedfordshire UA	£120,000
Cheshire East UA	£117,610
Cheshire West and Chester UA	£122,360
Cornwall UA1	£121,400
Cumbria	£177,270
Derby UA	£155,230
Derbyshire	£336,870
Devon	£256,690
Dorset	£87,780
East Riding of Yorkshire UA	£93,480
East Sussex	£364,040
Essex	£1,471,740
Gloucestershire	£172,950
Greater Manchester CA	£3,174,250
Hampshire	£656,070
Herefordshire, County of UA	£24,000
Hertfordshire	£1,290,290
Isle of Wight UA	£47,120
Kent	£1,219,610
Kingston upon Hull, City of UA	£207,100
Lancashire	£560,200
Leicester UA	£275,690
Leicestershire	£180,000
Lincolnshire	£159,980
Liverpool City Region CA	£1,579,200
Luton UA	£164,540
Medway UA	£185,400
Milton Keynes UA	£136,950
Norfolk	£299,630
North East JTC	£1,809,800
North East Lincolnshire UA	£63,840
North Lincolnshire UA	£30,970
North Somerset UA	£94,750
North Yorkshire	£202,350

Northamptonshire	£266,570
Nottingham UA	£407,800
Nottinghamshire	£435,670
Oxfordshire	£597,000
Plymouth UA	£189,050
Portsmouth UA	£92,280
Reading UA	£235,800
Rutland UA	£7,220
Sheffield City Region CA	£1,092,310
Shropshire UA	£51,900
Slough UA	£110,400
Somerset	£91,580
Southampton UA	£245,000
Southend-on-Sea UA	£185,400
Staffordshire	£366,500
Stoke-on-Trent UA	£100,950
Suffolk	£337,000
Surrey	£1,289,150
Swindon UA	£146,300
Tees Valley CA	£344,400
Telford and Wrekin UA	£45,900
Thurrock UA	£138,000
Torbay UA	£26,520
Warrington UA	£130,000
Warwickshire	£195,890
West Berkshire UA	£99,000
West Midlands ITA	£2,619,530
West of England CA	£592,800
West Sussex	£470,250
West Yorkshire CA	£2,010,600
Wiltshire UA	£136,200
Windsor and Maidenhead UA	£67,080
Wokingham UA	£115,330
Worcestershire	£129,840
York UA	£131,670

ANNEX C

Bid Feedback and Further Evidence Required

Summary of feedback for bids that received less than 100%:

N/A

Further evidence required:

N/A

ANNEX D

Grant Acceptance Slip

I acknowledge receipt of the Active Travel Fund Award letter under Grant Determination No. 31/5245 and 31/5246.

And

I accept the grant offer on behalf of the authority subject to the conditions set out in this letter. I confirm that I am lawfully authorised to do so.

Signed.....

Please print name of officer.....

Position.....

Please print name of officer.....

Date.....

Please return to John Sweetman Walking.cycling@dft.gov.uk

Annex E1

Active Travel Fund: Local and Combined Authority Consultation Arrangements for Tranche 2 Schemes

All grant recipients are required to undertake the following actions:

1. **Prior to receipt of tranche 2 funds – publish consultation plans**
 - Prior to receipt of tranche 2 grant funding, all authorities (via combined authorities for city regions) must publish a short summary (e.g. 2-pages) of the consultation activities they will undertake with local stakeholders prior to commencing delivery of schemes.
 - Plans must include undertaking appropriate surveys with local residents (for their programme of schemes as a whole or individual elements). These surveys can be funded from authorities' tranche 2 allocations.
 - Plans must demonstrate how authorities will engage with local residents, local businesses (where they are directly impacted by the scheme), emergency services, bus operators, Royal Mail, local MPs and ward councillors.
 - Plans must be publicly available on local authority websites.
 - Please email walking.cycling@dft.gov.uk a weblink to your online plans **by Friday 11 December**.

2. **Undertake appropriate surveys with local residents**
 - Surveys should be undertaken both before schemes are finalised and post-implementation.
 - Surveys could either be undertaken on a programme of schemes as a whole, or on individual elements, as appropriate.
 - The Department will provide example survey questions and guidance for effective public opinion surveys.
 - Surveys can be funded through authorities' tranche 2 scheme allocations

3. **Before starting construction of schemes – confirm appropriate consultation has been undertaken with local stakeholders**
 - LAs to supply a letter signed by the Leader of the Council or a senior officer, confirming they have:
 - consulted all key local stakeholders
 - obtained broad support for their schemes and made any changes to take account of local feedback
 - implemented a clear communications plan to deal with any backlash which draws on the results of local opinion surveys
 - discussed plans with local MPs, and provide a summary of MPs' responses (e.g. via a RAG rating)
 - Letters do not need to show unilateral support, but instead that reasonable levels of consultation have been carried out and reasonable adjustments to schemes made in response to concerns.

- In cases where there are a number of schemes which are part of a wider programme (e.g. in combined authority areas), combined authorities may wish to notify the Department in batches, when appropriate schemes are ready for construction.
- Please email letters to: walking.cycling@dft.gov.uk

4. During and post-implementation of schemes: undertake monitoring of schemes and submit reports to DfT

- DfT will undertake short “pulse” surveys, to gauge authorities’ progress in delivery of tranche 2 schemes.
- At completion and at 6 and 12 months after the opening of the majority of schemes, authorities are required to submit a monitoring report on outputs delivered and the effects of schemes (via combined authorities for city regions).
- Reports will highlight any modifications made to schemes in response to local feedback.
- Reports will include the results of local resident surveys that test the effectiveness of schemes post implementation.
- DfT will circulate updated monitoring guidance to support these requirements, with suggested templates for reports.
- Authorities may also be invited to participate in the Department’s national evaluation of Active Travel Fund schemes.

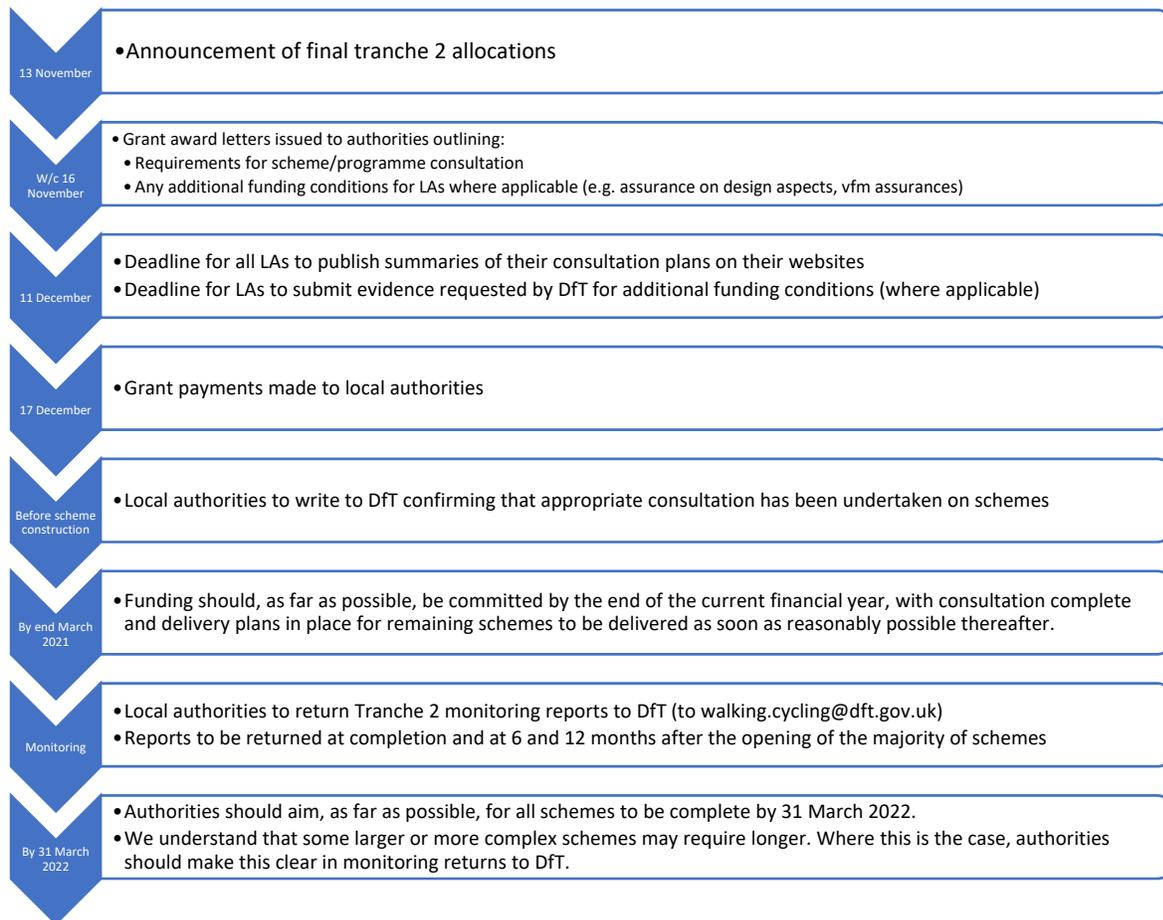
5. In the event that schemes cannot be progressed or appropriate consultation is not completed:

- The Department will work with authorities to identify appropriate alternative schemes that remain consistent with the objectives of the original tranche 2 bid and the strategic objectives for the Active Travel Fund.
- If no alternative solution can be found, the Department reserves the option to recover funding for schemes by reducing a future grant payment to the authority.

Key actions and dates are set out at Annex E2

Annex E2

Active Travel Fund: Key dates for local authorities



Active Travel Fund – FAQs for Local and Combined Authorities

Contents:

- 1. Scope and objectives for tranche 2**
- 2. Delivery timetable**
- 3. Consultation and survey requirements**
- 4. Funding issues**
- 5. Related policy issues**

1. Scope and objectives for Tranche 2

Q. What are the objectives of ATF Tranche 2?

Although Tranche 1 was delivered at a rapid pace to address the COVID emergency, Tranche 2 has less of an emphasis on social distancing and providing relief to public transport capacity and more of an emphasis on increasing cycling and walking in the longer term in line with Government objectives set out in Gear Change.

Q. Can authorities use Experimental Traffic Regulation Orders (ETROs) in Tranche 2

Yes, we understand that authorities may wish to trial schemes in conjunction with consultation activities. Authorities will still be required to submit consultation plans for these schemes, and where ETROs are being used, plans should set out timescales for consulting and reviewing whether schemes are to be made permanent.

2. Delivery timetable

Q. When does the funding need to be spent?

Tranche 2 is more about cementing the benefits and legacy of change. Given that the funding has taken longer to release than planned there will be some flexibility in delivery dates.

We would like schemes to be delivered as soon as reasonably practicable. This means that in most cases, consultation should be underway and funding committed (i.e. an agreed investment decision, business case or contract) by March 2021, with an agreed delivery plan in place. As far as possible, schemes will be expected to be delivered by 31 March 2022.

Q. What exactly is the process from here?

Before payments are made, authorities will need to a) confirm that a plan for consultation activities (“consultation plan”) has been published and b) provide any further evidence required to support the application where notified in your grant offer letter. We have identified a few evidence gaps in a number of bids and we will require some follow up information, e.g. to confirm scheme quality, scope of works, delivery arrangements. We are looking to make payments in mid-December, so we are looking for this evidence to be provided within 4 weeks.

Q. Delivery of our schemes may be delayed by local election purdah. Do we have to commence construction this financial year?

We appreciate that the delay in releasing tranche 2 funding means that preparation of schemes may now coincide with local election purdah. Where this is the case, authorities have flexibility to invest time in engaging with communities and establishing a local consensus for schemes this financial year, and to commence construction later in 2021.

3. Consultation and survey requirements

Q. What sort of detail is required in consultation plans?

By “consultation plans”, we mean plans for consultation activities, not consultation documents on the schemes themselves. These should set out when consultation activities are happening, who is being consulted and how they will be consulted so that it is transparent and clear to local stakeholders how consultation is being undertaken. We would expect these to be around 2 pages but authorities are the best judges of the detail required as they have a good understanding of local roads and local stakeholder groups that need to be consulted. The level of detail will differ between plans depending on size, complexity and level of contention, e.g. schemes that substantially reduce car parking, traffic lanes and introduce multiple point closures are likely to require higher levels of consultation. Plans may want to reference existing documents setting out statutory consultees and broader consultation governance processes.

Q. You state that we cannot start construction until consultation is complete. What if we have a phased set of projects? Do we need to wait until the last project is consulted on?

No. We would expect appropriate consultation to have completed on each scheme before construction starts. Some consultation will also continue during and after construction completes. You may want to phase your notifications to DfT about completion of consultations in order to reduce delays in building schemes. In order to

provide coherency across city regions, it is suggested that combined authorities notify DfT on behalf of constituent local authority projects.

Q. There is often a lag between the appreciation of schemes and their introduction! But before schemes are introduced, we often hear most from those who feel threatened by them and voice their opposition. A danger is a vocal minority can kill a good scheme before benefits can be realised.

The Department recognises this. We are not expecting authorities to show that schemes are universally popular at the time of introduction, only that appropriate amendments have been made in response to reasonable feedback, before and after delivery of schemes.

Q. If there is a vocal objection locally, but our local decision makers (e.g. Councillors) are happy to progress the scheme - is that acceptable, or do we need consensus. Does DfT have a veto?

There is not a "veto" on schemes: The Department requires authorities to show that appropriate consultation has taken place and feedback received has been responded to appropriately. The Department will not scrutinise or sign off consultation plans – we just need to know that appropriate consultation has happened.

Q. What if there are capacity constraints for LAs delivering consultation plans?

Appropriate levels of consultation need to be undertaken before scheme implementation begins. There is flexibility to use the funding over a longer period for this to happen. In many cases authorities will already have plans in train for consultation on schemes.

Q. If Tranche 2 schemes are part of a wider programme, do we need to consult on a whole programme / route before starting to build?

No. Appropriate consultation needs to have been undertaken on the sections of the programme / route that are being built using Tranche 2 funding. It may make sense to consult on the wider scheme at the same time and authorities may want to consider this if it is a more efficient or effective way of consulting.

Q. Do individual highways authorities need to consult on their schemes or can this be undertaken by the combined authority?

The most appropriate method of consultation for schemes within combined authority areas will vary and it is for combined authorities to identify the best approach. Consultation will need to be appropriately complete before implementation of schemes, so authorities may want to notify DfT via combined authorities that consultation has completed in batches to avoid delaying early projects.

Q. Do authorities need to use a fixed question set for public opinion surveys?

Scope of surveys will vary between authorities. We will provide guidance on undertaking effective public opinion surveys alongside survey frameworks and example questions. This will hopefully provide a degree of consistency between authorities with sufficient flexibility for surveys to be as targeted and helpful as possible.

Q. Do we need to wait for DfT to give us the green light to start construction after we have written to them confirming that consultation is complete?

No, we just require you to notify the Department regarding completion of consultation activities. DfT will not review and sign off consultation activities.

Q. Can our consultation be proportionate to the value of schemes?

Yes, consultation should be proportionate to both the financial cost and level of public interest in schemes. We are ultimately seeking confirmation that appropriate consultation has been undertaken.

Q. Who in the LA should sign off letters confirming to DfT that appropriate consultation has been undertaken for schemes?

Local or combined authority transport director or equivalent.

4. Funding issues

Q. How will you claw back funding?

The Transport Secretary has been clear that if consultation requirements are not met by a council, future funding allocations will be reduced. This will be done by adjusting downwards future grant payments to authorities. This will only be considered in exceptional circumstances.

Q. Will you claw back funding for schemes that, following consultation, have been amended or removed?

We expect a certain proportion of schemes to be amended following consultation. If changes to schemes are still within the scope of the Active Travel Fund then funding will not need to be returned. If schemes have been removed, they may be replaced by other schemes as long as they are still within scope. DfT should be notified if there are material differences in what is being delivered versus the original funding application.

Q. If consultation and design work has already begun at risk, can this still be funded using Tranche 2 funding?

Yes, any work undertaken after bids were submitted may be funded.

Q. You said consultation plans must be published before the money is released? Do you mean bid and award are made, or the release of money that follows?

Authorities have received a flow chart with their grant award letters setting out next steps and key dates. The key steps and timescales are:

1. Authorities to publish consultation plans, and, where relevant, respond to any other funding conditions by 11 December;
2. Grant payments to be made to LAs in mid December;
3. Authorities to write to DfT before scheme construction confirming that consultation has been undertaken. (This may cover the overall programme of work or be notified in batches.)

Q. Will we receive any revenue funding?

All authorities will receive 80% capital and 20% revenue funding, reflecting the proportions of funding available at national level.

Q. Can we use some of the funding for complementary behaviour change measures?

Yes, as long as the investment relates to the capital measures being implemented through the scheme and relevant activities have been included in your bid.

Q. What future cycling and walking funds are on the horizon? Helpful to understand, as we are trialling measures in tranche 2 but with the intention to make permanent later on.

Future funding will be set out in the Spending Review settlement due 25 November. We will look to confirm funding arrangement for 21/22 as soon as possible after the SR.

Q. Does DfT have a branding requirement for schemes?

There are no specific branding requirements. Please do advertise that schemes have been funded by DfT where possible.

Q. We are unhappy that our final allocation is lower than our indicative allocation. Can we appeal?

Feedback has been provided to authorities on identified evidence gaps and/or weaknesses in the bids, in particular for those who have received less than their indicative allocation. If you believe that material evidence in the bids has been missed, you may write to the department to set this out within two weeks of receiving the grant offer letter. In exceptional circumstances, the department may consider revising final allocations.

Q. You have asked for more evidence before funding is transferred. If I provide further evidence, will you increase our final allocation?

This further evidence is required in order to secure your final allocation, as set out in the funding offer letter. This will assure us that your proposed programme of work is sufficiently in line with scheme objectives, eg scope, design quality, delivery arrangements. Final allocations will not be revised based on this evidence.

5. Related policy issues

Q. What is the latest regarding implementation of Part 6 of the Traffic Management Act for LAs outside London?

Work will start shortly on the various regulations to bring the Part 6 powers into force, which is likely to take some months to complete. Once in force, authorities will then be able to apply for these powers. Those wishing to acquire these powers will then need to apply to the Secretary of State for a legal order designating all or part their network as a civil enforcement area for moving traffic offences.

We will also consult key stakeholders on statutory guidance to help councils implement these new powers. This will include ensuring citizens are properly informed about the new powers so that it is clear to drivers what restrictions are in force. We will be considering other measures to ensure that road users clearly understand the new powers and that enforcement is carried out in a fair and proportionate manner.

Q. What is the latest on DfT's decarbonisation plan? Is cycling and walking included?

The Government is committed to going further and faster to tackle climate change, which is why we are developing a bold and ambitious Transport Decarbonisation Plan to achieve net zero emissions across all modes of transport, including cycling and walking.

In March 2020, we published "Decarbonising Transport: Setting the Challenge" kicking off our work to prepare a Transport Decarbonisation Plan.

This is the biggest piece of work we have ever done to tackle greenhouse gas emissions from transport. The holistic and cross-modal approach to decarbonising the entire transport system will set out a credible and ambitious pathway to deliver transport's contribution to carbon budgets and meet net zero by 2050.

We are working towards an end of 2020 date for the publication of the Transport Decarbonisation Plan.

Q. What engagement has DfT had with the Planning White Paper? Will it affect our schemes?

Public consultation on the Planning White Paper has closed but the Department is continuing its engagement with MHCLG on transport-related issues. The Government is considering responses received and is developing legislative and policy proposals needed to implement the reforms. This is not expected to impact delivery of Tranche 2 schemes.

Brighton & Hove City Council

Active and Inclusive Travel Forum

Terms of Reference

Brighton & Hove City Council is committed to developing an active and sustainable travel network, increasing healthy life expectancy, and building a stronger city by improving access to all parts of the city and the Council's services for people of all abilities and needs.

'Active travel' is transport that involves physical activity, such as walking and cycling, to get from one place to another. It is often a more affordable, healthier and low carbon way to travel which helps to improve wellbeing, reduce congestion and improve air quality.

'Inclusive travel' is about making sure experiences and places can be enjoyed by the widest number of people and that they have equal access to the destination of their choice. This enables people of all abilities and ages to travel more confidently and independently, as well as benefitting the economy and society as a whole.

1. Purpose of the Forum

1.1 The purpose of the Active Travel Forum is to provide a positive, proactive arena for the exchange of information and views on schemes and initiatives that support more active and inclusive forms of transport. This includes identifying issues and user experiences which can inform the development of future schemes and practical solutions to problems.

1.2 In addition, the Forum aims to strengthen links between key stakeholders, providing an opportunity to develop initiatives in partnership that encourage people of all ages and abilities to travel more actively across the city and influence behaviour change.

2. Status of the Forum

2.1 The Forum has no formal status as a decision-making body and no direct reporting lines to the City Council or its Committees.

2.2 The Forum acts as a 'sounding-board', receiving information for discussion and issuing feedback and advice.

3. Areas of focus

3.1 The focus of the Forum will be on:

- Considering issues of principle and good practice in transport design to achieve and uphold national guidance and standards within Brighton & Hove transport schemes and align with the city's target to be carbon neutral by 2030.
- Highlighting areas of local need and/or where user experiences indicate there is a transport issue that needs addressing.

- Offering views on effective ways to influence travel behaviour and supporting initiatives to encourage walking and cycling.
- Encouraging partnership work and knowledge and information sharing on active travel across the city.

4. Roles and responsibilities

- 4.1 Members of the Forum commit to having a constructive and inclusive approach to all areas of focus. Wherever possible a consensus view on topics shall be sought and where this is not possible, the nature of the differing views will be made clear.
- 4.2 In addressing the Forum's areas of focus, members will respect the local circumstances and different interests of one another and have regard for varying needs and demands across the city.
- 4.3 In particular, the Forum shall give due consideration to key policy documents, such as the Local Cycling and Walking Infrastructure Plan (in development) and the most recent Local Transport Plan, as well as the requirements of national guidance and statute, including the Equality Act 2010.
- 4.4 Members of the Forum must respect the confidentiality of information shared in meetings. Where confidential information is shared, this will be clearly stated.
- 4.5 Members are asked to promote the interests of the Active and Inclusive Travel Forum at all times.

5. Meetings

- 5.1 The Active Travel Forum will meet quarterly.
- 5.2 Agendas will be set by the Chairperson, in consultation with Forum members, and circulated 1 week in advance of the meeting. Action notes will be distributed afterwards.
- 5.3 Meetings will not be held in public, although meeting action notes will be published on the Council's website.
- 5.4 If a more detailed discussion on a particular area or issue is required, focused informal sub-groups may be arranged outside of these meetings, in consultation with relevant members and agreed with the Chairperson.
- 5.5 Administration of the Forum is facilitated by City Council officers.

6. Membership

Chairperson

- 6.1 The Forum is chaired by a Brighton & Hove City Councillor from the Administration, as selected and agreed by the Council's Environment, Transport and Sustainability Committee.

Vice-chairperson

6.2 A Vice-Chairperson will be another member of the Forum, as selected by the Forum collectively.

Members

6.3 The Forum will include a representative from each of the City Council's political groups.

6.4 City Council officers from the following Directorates are invited to attend:

- Economy, Environment and Culture (including Planning)
- Health and Adult Social Care
- Families, Children and Learning

6.5 External stakeholder organisations representing the following interests are invited to be involved in the Forum:

- Cycling,
- Walking,
- Urban design,
- Environmental protection / sustainability,
- Disability representation,
- Black, Asian and Minority Ethnic representation,
- LGBTQ+ representation,
- Young people,
- Older people,
- Local Action Teams,
- Voluntary and community sector coordination,
- Transport operation and promotion,
- Major trip-generators,
- Health and education sectors.

6.6 A balanced membership of the Forum will be sought to avoid dominance by any single interest group or coalition of like interests. As such, a single representative for each of the above interests will be sought wherever possible.

6.7 Representatives from other Council directorates, organisations and individuals may be invited to attend and/or present at the discretion of the Chairperson.

6.8 Chairing and membership of the Forum will be reviewed as required.

