

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting:	15 th October 2013
Report of:	Head of Public Protection and Enforcement
Subject/Title:	Supporting Community Transport & Accessibility Initiatives – Grants & Vehicle Donation (Forward Plan Ref: 13/14-45)
Portfolio Holder:	Cllr David Topping, Environment

1.0 Report Summary

1.1 The report seeks approval of three complementary policies which each seek to allocate resources to communities in Cheshire East to support transport and accessibility initiatives:

- Policy for the Allocation of Transport & Accessibility Grants: aims to allocate funding to local community and voluntary groups to support community-led transport and accessibility initiatives tailored to local needs (see Appendix 1).
- Policy for the Allocation of Surplus Council Vehicles: aims to gift vehicles which are no longer required by the Cheshire East Transport Service to community and voluntary groups to establish community bus schemes which improve access to key services (see Appendix 2).
- Policy for the Allocation of Local Sustainable Transport Fund (LSTF) Business Travel Planning Grants: aims to utilise a proportion of the Department for Transport (DfT) funding to award grants to the business community in Crewe on a match fund basis as part of the LSTF programme (see Appendix 3)

2.0 Recommendations

- 2.1 To approve the “Policy for the Allocation of Transport & Accessibility Grants” and to delegate authority for decision making on award of grants to the relevant Portfolio Holder with responsibility for transport;
- 2.2 To confirm the allocation of £250,000 in 2013/14 for transport and accessibility grants in line with the policy above (see 2.1);
- 2.3 To approve the “Policy for Allocating Surplus Council Vehicles” and to delegate authority for the decision making on allocation of vehicles to the relevant Portfolio Holder with responsibility for transport;
- 2.4 To approve the “Policy for the Allocation of Local Sustainable Transport Fund (LSTF) Business Travel Planning Grants” and to delegate authority for decision making on award of grants to the relevant Portfolio Holder with responsibility for transport;

- 2.5 To authorise officers to take all necessary action to implement the decisions above and establish each of the schemes in line with the associated policy.

3.0 Reasons for Recommendations

- 3.1 The objectives of the Transport & Accessibility Grant Scheme in supporting local grassroots initiatives in the community and voluntary sector are best achieved by developing a competitive grant scheme, rather than a procurement exercise. The aim is to support community-led activities which improve access to essential services, such as healthcare, shopping, leisure and other destinations that are important to local residents. In this way, the Council is over the long term helping people to meet their own needs.
- 3.2 The aim of allocating surplus Council vehicles to the community and voluntary sector is to help support community-led transport initiatives that will improve access to key services. The types of schemes which may be supported by the gifting of a vehicle include community bus schemes operated “by the community, for the community”. The value of the vehicles (£63,500) to be donated represents a relatively modest write off when compared with the service innovations and community benefits which will result from empowering the community to develop their own self help initiatives.
- 3.3 Both the grant scheme and vehicle allocation scheme will help deliver the priorities in the Sustainable Community Strategy (Ambition for All) and the associated Local Transport Plan (LTP), particularly the policies within the LTP relating to ‘Nurturing Strong Communities’.
- 3.4 Establishing an LSTF Business Travel Planning Grant Scheme is in line with the original bid document approved by the Department for Transport (DfT). The aim is to support businesses and employers in Crewe to implement measures that will encourage their staff to travel more sustainably.
- 3.5 Increasing the levels of walking, cycling, public transport and car sharing at key employment sites has a range of positive benefits for the employer, employee and wider community, including reduced car park problems, reduced traffic congestion in Crewe and improved health and wellbeing.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications

- 6.1 The policy supports the delivery of the Sustainable Community Strategy, Local Transport Plan (LTP) and Ageing Well in Cheshire East Programme. Initiatives which improve accessibility have wider benefits including reduced isolation and social exclusion, and improved health and wellbeing. Promoting and

enabling passenger transport, walking and cycling supports the climate change agenda through low carbon travel choices.

- 6.2 The LSTF business travel planning project directly supports the All Change for Crewe regeneration programme by enabling transport measures which help to unlock the growth potential of Crewe in a low carbon way. Encouraging increased levels of walking and cycling for short local journeys within Crewe has associated health and wellbeing benefits.

7.0 Financial Implications

- 7.1 The financial implications of each policy are outlined separately below:

Policy for the Allocation of Transport & Accessibility Grants

- 7.2 It is proposed to allocate £250,000 for transport and accessibility grants from the approved 2013/14 base budget. The grant scheme will operate two tiers of funding based on the value – small grants up to £9,999 and larger grants of over £10,000.
- 7.3 The budget for each funding round is fixed prior to inviting applications, so that there is clarity on the limited amount of money available in each bidding window. The policy states that given the fixed budget for each funding round, and the Council's aim to benefit as many organisations as possible, the Council cannot guarantee to fund the maximum amount applied for.

Policy for the Allocation of Surplus Council Vehicles

- 7.4 Currently there are 9 Council-owned vehicles which are surplus to requirements and ready to be allocated to community and voluntary organisations. The vehicles vary in age ranging from 9 years old (2004) to 4 years old (2009).
- 7.5 The estimated value of these vehicles at sale by auction is £63,500. In donating the vehicles to local organisations, these capital items will be written off to enable the development of community-led transport initiatives which are tailored to local needs.
- 7.6 The application and assessment process require initiatives to improve access to service, particularly for disadvantaged groups, which would be costly for the Council to provide as part of the supported bus network.

Policy for the Allocation of LSTF Business Travel Planning Grants

- 7.7 The LSTF programme is fully funded by a grant from the Department for Transport (DfT). The policy seeks to award grants of up to £4,999 on a match fund basis to businesses located in Crewe. All funds which are awarded will be claimed in full from the DfT quarterly in arrears, in line with the Grant Agreement between the Council and the DfT. The policy will end on 31 March 2015 in line with the LSTF funding period.

- 7.8 The minimum capital and revenue allocations for each financial year are set out below – the figures for 2014/15 may increase if the scheme demonstrates value for money in 2013/14, and if under-spends emerge in other areas of the overall LSTF programme.

Year	Capital	Revenue
2013/14	£75,000	£18,000
2014/15	£25,000	£20,000

8.0 Legal Implications

- 8.1 The Council has the power to award grants to organisations and to gift vehicles which are surplus to requirement using its general power of competence under section 1 of the Localism Act 2011. In exercising the power the Council must satisfy its public law duties. In essence this means that in making any decision the Council must have taken into account only relevant considerations, followed procedural requirements, acted for proper motives and not acted unreasonably.
- 8.2 The Constitution states as follows:
- F31 The Cabinet Member will on a periodical basis, agree a policy setting down the approach to be taken to the allocation of grants, donations and other contributions to outside bodies. This should specify the scale, nature and terms of such support, criteria for prioritisation and the process for allocation.
- 8.3 Putting in place these policies will ensure that grants are allocated in accordance with the Constitution and reflect that grants are awarded to organisations following an application process and against set criteria. Delegation of the decision making process to the Portfolio Holder will ensure that decisions can be made expeditiously and at the appropriate level.
- 8.4 Grants fall outside the public procurement regime. There is a narrow line between awarding a grant and commissioning services. In awarding a grant the Council cannot exhibit the same amount of control over the organisation as is commensurate with a contract. Essentially, the terms of the grant should set out the purpose of the grant, what it can be allocated to and only claim claw back of the grant where the grant funding has been used for other purposes or otherwise improperly. The Council will not be able to assess the quality of the services that are being provided and determine to withdraw grant funding on that basis (except at the end of the period of the grant funding).
- 8.5 Further legal implications of each policy are outlined separately below:

Policy for the Allocation of Transport & Accessibility Grants

- 8.6 The assessment criteria provide a fair and equitable way to assess applications and award grants. Organisations awarded larger grants of over £10,000 are required to sign a Grant Agreement with the Council. This

provides a way to manage and monitor the organisation and ensure that funds are being spent in line with the original application and recover the grant, if necessary, if the organisation is in breach of the agreement. Organisations awarded a small grant (up to £9,999) will be required to sign a Grant Offer Acceptance Form confirming that the grant will be spent in line with the application and terms and conditions of funding.

- 8.7 Each organisation is required to have a signed constitution and management committee before any grant payments are issued. As part of the application form, organisations are required to disclose any other sources of funding to assess and guard against any potential state aid issues. It is unlikely that organisations have been or will be allocated grant funding in excess of the current de minimis levels applicable to state aid of £150,000 over 3 years but it is prudent to monitor any potential state aid.

Policy for the Allocation of Surplus Council Vehicles

- 8.8 Before the vehicle is released to a successful applicant, the organisation must sign an agreement to confirm that they will become the owner and registered keeper of the vehicle in its current condition as of the date of transfer. The agreement will confirm that they will pay all the future running costs of the vehicle, including service, maintenance, Tax, MOT and appropriately license the vehicle for the purposes outlined in their application form.

Policy for the Allocation of LSTF Business Travel Planning Grants

- 8.9 The assessment criteria provide a fair and equitable way to assess applications and award grants. The value of the grants to be issued under this policy (up to £4,999) does not necessarily require a formal Grant Agreement. However, the policy sets out a monitoring process to ensure that grants are used appropriately in line with the application and conditions for funding.

9.0 Risk Management

- 9.1 The policy makes clear that grants are awarded specifically for the purpose stated in the application and that should it be spent in any other way, without written approval from the Council, the organisation may become liable to return the monies paid.
- 9.2 To ensure expenditure in line with the approved grant application and compliance with funding conditions, the policy sets out a monitoring process providing suitable safeguards to ensure that grants are spent appropriately and deliver value for money (etc). Failure to provide monitoring information within the timescale may result in the Council recovering the grant paid.
- 9.3 By launching and implementing the policies identified above, there is an opportunity to support grassroots initiatives and empowering local people to community-led initiatives, as well as supporting sustainable travel to help unlock the growth potential of Crewe. Failure to adopt the policy will delay such initiatives.

10.0 Background

- 10.1 Cohesive, empowered and active communities in which people can influence the decisions that affect their locality is at the heart of the Sustainable Community Strategy for Cheshire East. It is recognised that local communities are often best placed to identify their own transport and accessibility needs and in some cases have the capacity to develop local solutions.
- 10.2 Many communities across the borough have a history of self help and coming up with innovative ways of serving local people, whether it is giving someone a lift to a doctor's appointment, establishing a Good Neighbour Scheme or saving a post office by relocating it to the local pub. This can be particularly important in rural areas where access to mainstream services is more difficult.
- 10.3 With regard to the LSTF programme, Cheshire East Council has been successful in securing £3.5m from the Department for Transport's Local Sustainable Transport Fund (LSTF). In line with the original funding bid, the Council's LSTF programme focuses on transport measures which help to unlock the growth potential of Crewe in a low carbon way.
- 10.4 The Council has a formal Partnership Agreement with the South Cheshire Chamber of Commerce & Industry (SCCCI) to engage with businesses effectively. The aim of the Grants Scheme is to support businesses and employers in Crewe to implement measures that will encourage their staff to walk, cycle, use public transport and car share to work.

11.0 Access to Information

The background papers can be inspected by contacting the report writer:

Name: Jenny Marston

Designation: Policy & Accessibility Manager

Tel No: 01270 686349

Email: jenny.marston@cheshireeast.gov.uk