

Cabinet Member for Highways and Infrastructure	Ref No: HI28 18/19
February 2019	Key Decision: Yes
European Agricultural Fund for Rural Development funding bid for the Downs Link	Part I
Report by Executive Director Economy, Infrastructure and Environment and Director of Highways and Transport	Electoral Division(s): Henfield, Broadbridge, Southwater and Nuthurst
<p>Summary</p> <p>The European Agricultural Fund for Rural Development (EAFRD) finances the European Union's contribution to rural development programmes. West Sussex County Council submitted an expression of interest in 2018 which was received favourably and approval is now being sought to submit a formal funding application to deliver various works along the Downs Link and delegate to Officers acceptance of any funding offer, should the bid be successful.</p> <p>The Downs Link is an off-road Public Right of Way and the work delivered, if the bid is successful, will enable surfacing improvements along five sections as well as improved signage and interpretation.</p>	
<p>West Sussex Plan: Policy Impact and Context</p> <p>The outcome in the West Sussex Plan 'Infrastructure that supports a successful economy' uses the 'length of new cycle paths' as a measure of success.</p> <p>This proposal also supports the delivery of the Walking and Cycling Strategy 2016-26 and the Rights of Way Management Plan 2018-28.</p> <p>The funding, if secured, will improve a Public Right of Way that is popular for walking and cycling and is used for both commuting and leisure. It is anticipated that the increase in use, following the improvements, will increase support to local businesses from visitors.</p>	
<p>Financial Impact</p> <p>The proposal seeks to use the S106 and Highways Maintenance Block funding within the 2019/20 programme to match fund the bid in capital terms. The value of the bid itself is £612,000, with the total estimated scheme cost (revenue and capital) amounting to £944,000.</p> <p>Revenue funding allocated to the programme will promote the route and surrounding area through Experience West Sussex. The funds will also enable the installation of visitor counters to monitor usage of the route. This will be met from existing Countryside operational budgets and pooled business rates.</p>	

Recommendations

The Cabinet Member is asked to approve:

1. The submission of the grant funding application for £612,000 to EAFRD for improvements to the Public Right of Way and promoted route, the Downs Link as described in the report.
2. The use of existing S106 and Highways Maintenance Block funding in 2019/20 to match fund the bid, as detailed in paragraphs 4.3-4.4.
3. The delegation of authority to the Director of Highways and Transport to a) enter into the necessary legal agreements with the funding body if the bid is successful and b) commence the procurement process and award associated contracts to deliver the work.

Proposal

1. Background and Context

The European Agricultural Fund for Rural Development (EAFRD) finances the European Union's contribution to rural development programmes. West Sussex County Council (WSSCC) submitted an expression of interest in 2018 which was received favorably and approval is now being sought to submit a formal application and to deliver various works along the Downs Link.

2. Proposal Details

- 2.1. The Downs Link is an off-road Public Right of Way (PRoW) that is approximately 59km in length. The route largely follows an old disused railway and is a popular shared use path running from Guildford to Shoreham by Sea.
- 2.2. Condition assessments and reports from users have identified sections along the route requiring surface improvements to ensure usage is possible year round. The bid also seeks to secure funding for improved signage and interpretation so users can easily identify sites of interest and places they may like to visit, including local pubs, cafes etc.
- 2.3. The match funding for the bid is being provided by S106 and Highways Maintenance Block funding, already allocated to improvements on the Downs Link at Christ's Hospital. This has been possible as the Christ's Hospital element has been included in the overall programme described in the bid
- 2.4. The value of the bid is £612,000 and the funding must be spent by December 2020.

Factors taken into account

3. Consultation

- 3.1. The Cabinet Member for Environment has been consulted on the proposal and supports the scheme.
- 3.2. The Local County Councillors have been made aware of the application and planned works in their divisions. They have not raised any objections.

4. Financial (revenue and capital) and Resource Implications

4.1 Capital consequences of proposal

	Current Year 2018/19 £m	Year 2 2019/20 £m	Year 3 2020/21 £m	Scheme Total £m
Total Scheme Cost	0	0.612	0.300	0.912
Available Budget – WSCC Capital	0	-0.300	0	-0.300
Grant Funding Sought (per Bid)	0	-0.312	-0.300	-0.612
Difference (-Surplus/Shortfall)	0	0	0	0

4.2 Revenue consequences

	Current Year 2018/19 £m	Year 2 2019/20 £m	Year 3 2020/21 £m
Total Revenue Cost	0	0.032	0
Available Budget – Pooled Business Rates	0	-0.024	0
Available Budget – Countryside Operational Budget	0	-0.008	0
Difference (-surplus/Shortfall)	0	0	0

- 4.3 The tables above demonstrate that the proposed scheme can be delivered within the revenue and capital budgets available, subject to the bid being successful and WSCC being awarded £612,000 of capital funding towards the delivery of the scheme. The capital-related match funding for the bid is provided by £293,000 S106 funding and £7,000 Highways Maintenance Block, which is allocated to the delivery of improvements on the Downs Link at Christ's Hospital in 2019/20.

- 4.4 There are £32,400 of revenue costs associated with project. Pooled business rates will provide £24,600 for Downs Link promotional activities: Experience West Sussex marketing to consumers and business support activities to promote the opportunity to local tourism businesses. The remaining £7,800 from Countryside operational budgets will be used to install visitor counters on the Downs Link. The counters will record the number of people on the route and will evidence the expected increased use after the work has been completed.
- 4.5 Future ongoing maintenance costs will be met from the Countryside revenue operation budgets. Work will be assessed against other requirements on the route and will be delivered on a priority basis.

5. Legal Implications

- 5.1. State Aid – provided all the contracts to deliver the works are procured through tenders which comply with EU rules on public procurement (below works threshold contracts are still subject to general Treaty principles of openness, fairness and transparency), this is in principle sufficient to ensure that the transaction is free of State Aid.
- 5.2. Brexit – The UK government [has guaranteed](https://www.gov.uk/government/publications/receiving-rural-development-funding-if-theres-no-brexit-deal/receiving-rural-development-funding-if-theres-no-brexit-deal) that any projects where funding has been agreed before the end of 2020 will be funded for their full lifetime. Therefore, in the event the UK leaves the EU with no deal, the UK government would fund any remaining payments due after March 2019. This would ensure continued funding for these projects until they finish. For more information, see:

<https://www.gov.uk/government/publications/receiving-rural-development-funding-if-theres-no-brexit-deal/receiving-rural-development-funding-if-theres-no-brexit-deal>

- 5.3 Other Legal Implications - listed in sections 8. and 9. below.

6. Risk Assessment Implications and Mitigations

- 6.1 The funding bid may not be successful and, if this was the case, the work would not be completed as proposed. The highest priority areas would be included in future Capital Improvements programme proposals for consideration and prioritisation, with the aim of those works being gradually delivered over a number of years.
- 6.2 There is risk surrounding delays in the project resulting in the external funding not being applied by the deadline of December 2020. The service considers these risks to be low/acceptable, given the nature of the scheme and the time available for completion.

7. Other Options Considered

Not submit an application bid. This option was discounted as submitting a bid is a good opportunity to improve a popular route. The work will encourage others to use the route and it is anticipated that it will have a positive economic impact on the surrounding areas.

8. Equality and Human Rights Assessment

This decision relates to an application for scheme funding. The specification that has been used in designing the surfacing works meets the needs of various users; the aim is to provide a smooth, even surface which will enable various user groups (including those with physical disabilities) to easily use the Downs Link.

9. Social Value and Sustainability Assessment

- 9.1. The scheme will provide improvements to sustainable transport infrastructure through the upgrading of the Downs Link to the standard people expect for carefree, safe enjoyment. This will have a positive impact on non-motorised users including people with disabilities. It is also expected to contribute to generally improved health and well-being for the local community.
- 9.2. The work itself will be procured through the Countryside Contractors Framework, therefore using local suppliers within West Sussex.

10. Crime and Disorder Reduction Assessment

There are no identifiable Crime and Disorder implications.

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Appendix

Full Application Form