

Report to the Environment and Communities Scrutiny Committee

18 November 2020

Emergency Active Travel Fund Cycle Lane - A286 Chichester ring-road HI10 (20/21) – Focus for Scrutiny

Report by Director of Law and Assurance

Summary

A proposal (HI10 (20/21)) was published for decision by the Cabinet Member for Highways and Infrastructure on 23 October 2020 in relation to the Emergency Active Travel Fund Cycle Lane – A286 Chichester ring-road. The Cabinet Member is being asked to agree to remove this temporary cycle scheme in Chichester. A request to call-in this decision for scrutiny has been accepted by the Monitoring Officer. The Committee is therefore asked to scrutinise the proposal set out in the decision report attached at Annex 1.

The Focus for Scrutiny

Key lines of enquiry for the Committee to consider include:

- (1) Whether removal of the scheme is at odds with a key aim of the Fund, to deliver “lasting transformative change”;
- (2) What consideration has been given to improving the scheme, rather than removing it;
- (3) Despite the time constraints, whether there could have been more engagement with local councillors, the public and other key interested parties;
- (4) Whether the scheme could be kept in place while improvements are devised, in consultation with the cycling forums;
- (5) How removal of the scheme fits with the Council’s strategic ambitions in respect of climate change;
- (6) The adequacy of the technical report, and the evidence base for the proposed decision more generally; and
- (7) What learning has arisen from the process.

The Chairman will summarise the debate and ask the Committee to agree its conclusions to be reported to the Cabinet Member.

1 Background and context

- 1.1 A call-in request has been accepted for the decision in relation to the Emergency Active Travel Fund Scheme in Chichester. The request was made by Councillor Dr Kate O’Kelly, supported by Councillors Dr James Walsh, Louise Goldsmith, Jamie Fitzjohn, Kirsty Lord and Morwen Millson.
- 1.2 The reasons for the call-in request were:
- a) The original aim of the scheme as specified by Secretary of State was: "We recognise this moment for what it is: a once in a generation opportunity to deliver a lasting transformative change in how we make short journeys in our towns and cities." The decision to remove has not considered this aim and the report includes a statement on returning the network back to the pre-pandemic state.
 - b) We are unaware whether the option to improve the scheme rather than remove it has been determined when considerable amount of public money has been spent.
 - c) We would like to explore the decision process from inception, it appears there has been a lack of Councillor and public engagement, we appreciate that there were time constraints in applying for grants, but this should have been managed better.
 - d) We believe there is considerable learning from the process which should form the basis of this call-in.
 - e) The decision is premature as it appears that Chichester is singled out and we would like to explore the whole policy for the Council and how it meets the County Council’s ambition on Climate Change (note – since the call-in request was submitted, decision have now been proposed for the balance of the EATF schemes).
 - f) We are concerned about bias and prejudice, as most of the reasons against scheme are not fully evidence based. The technical report provides no significant evidence of reduced air quality, safety concerns and drive through times which are satisfactory.
 - g) The aim of the call-in is to scrutinise the whole process leading up to the application for the grant to the decision to remove the scheme. It is vital for future schemes that we learn lessons and reflect on our processes.
 - h) In addition, to ask the Cabinet member to reconsider, in light of fast moving events in the pandemic which buys us more time, to keep the scheme in place whilst officers, with the cycling forums advising, work up a plan of improvements to the scheme.
- 1.3 The call-in request was considered with reference to the factors set out in Standing Order 8.32, the pre-conditions for the request set out in Standing Order 8.29-31 having been met. The call-in request was accepted as there has been no previous scrutiny of the proposals and the call-in request provides legitimate grounds for consideration prior to the proposal being determined. There are no factors to suggest that delaying the decision to accommodate a hearing would be contrary to the interests of the Council.

2 Details

- 2.1 The background and context to this item for scrutiny are set out in the attached report including resource and risk implications and all factors taken into account.

Tony Kershaw

Director of Law and Assurance

Contact Officer

Ninesh Edwards, Senior Advisor (Democratic Services) 033 022 22542

Appendices

Annex 1 – Emergency Active Travel Fund Cycle Lane – A286 Chichester ring-road HI10 (20/21)

Background papers

None