

## OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

**Decision Reference No: 2024/10/PH/DEFRAAirQualGrant**

**BOX 1****DIRECTORATE: Public Health****DATE: 19/02/2024****Contact Name: Caroline Temperton****Tel. No.: 01302 734481**

**Subject Matter: DEFRA Air Quality Grant: To accept grant funding from DEFRA to deliver School Street road closures in Doncaster.**

**BOX 2****DECISION TAKEN**

**To accept the £238,529.72 grant funding which has been secured from DEFRA to enable delivery of interventions to improve air quality in Doncaster. It is designated as £46,400 Capital funding and £192,129.72 Revenue funding.**

**To use the funding to enable delivery of the following:**

- 8 Experimental School Street Road Closures (Inclusive of ETRO Cost, Design Fees, Bollards/Planters, Signage, Landscaping, Air Quality Monitoring Equipment & My Air public portal, Launch day activities, school assemblies, bikes/ scooters, and storage for each school) – £131,674.20
- 1 x School Street Project Coordinator Post at Grade 9, Full time for 24 months including on costs - £106,855.52

The reports seeks to:

- Accept the capital funding into Doncaster Council's Capital Programme and add relevant scheme(s) to the Capital Programme.
- Accept the revenue funding into Doncaster Council and add appropriate budgets for the revenue elements of the grant.
- Gain authorisation from the CFO to agree the new in-year additions to the capital programme.

## **BOX 3**

### **REASON FOR THE DECISION**

Approval for the decision to accept funding secured from DEFRA of **£238,529.72** is now required to **facilitate the funding of activities outlined in BOX 2 and the background papers in BOX 12 to deliver the strategies outline to improve air quality across the borough.**

#### **Background:**

A School Street is a road outside a school with a temporary restriction on motorised traffic at school drop-off and pick-up times. The restriction applies to school traffic and through traffic. The result is a safer, healthier and pleasant environment for everyone.

School Street schemes offer a proactive solution for school communities to tackle air pollution, poor health and road danger reduction. A School Street scheme will encourage a healthier lifestyle and active travel to school for families and lead to a better environment for everyone. Evidence also suggests that installation of school streets creates a modal shift to more active modes meaning a reduction in emissions outside of school gates. (Davies. A, 2020)

In 2022/23 CDC secured grant funding from DEFRA to deliver 4 Permanent School Street road closures on an 18month experimental order with the aim to convert successful closures to permanent. A further 18 one day closures have also taken place over the last 2 years 10 of which were also funded through a grant secured by DEFRA via South Yorkshire Mayoral Combined Authority.

CDC officers believe that accepting the funding outlined in Box 2 will enable us to continue to make a positive change around this subject. Implementing further school street closures will increase the numbers of both residents, pupils, families and communities benefiting. Therefore, the next phase of Doncaster Schools Street project intends to expand on the implemented closures by delivering a further eight permanent road closures outside Doncaster Primary Schools. The funds will be utilised to achieve the following outcomes:

- Improved air quality, which will be monitored through the installation of AQ monitors.
- Reduction in vehicles outside of School Street primary schools, this will be determined through hands up survey's prior to the implementation of the closure and ongoing intervals during the school year.
- Increased perceptions of road safety this will be captured by conducting surveys and holding consultation sessions with school staff, parents, pupils and the surrounding community prior to the implementation of the closure and then throughout the project.
- Increase in active travel journeys to school, parent surveys, hands up surveys will enable the project team to assess any increase in active travel journeys.
- Raise awareness of Air Quality, and provide the tools to understand how to mitigate and change behaviour. Promotional campaigns across the community surrounding each school street will be conducted. This will include signposting to the MyAir portal which hosts detailed data collected via the AQ monitors and localised AQ information can also be accessed.

The funding is ring fenced to deliver an air quality behaviour change initiative and details of how the funds would be spent can be seen below:

<b>Activity</b>	<b>Cost</b>
8 Experimental School Street Road Closures (Inclusive of ETRO Cost, Design Fees, Bollards/Planters, Signage, Landscaping, Air Quality Monitoring Equipment & My Air public portal, Launch day activities, school assemblies, bikes/ scooters, and storage for each school)	£131674.20
Recruitment of School Street Project Coordinator Full time Grade 9 for 24months including on costs	£106,855.52
<b>Total</b>	<b>£238,529.72</b>

#### **BOX 4**

##### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

**Do Nothing:** Do not approve acceptance of funding of **£238,529.72**, which means Doncaster will miss the opportunity to deliver School Streets to improve air quality across the borough and other benefits set out in the attached reports.

**Do Something:** Accept funding of **£238,529.72**, which will enable the Council to deliver a series of Air Quality improvements.

#### **BOX 5**

##### **LEGAL IMPLICATIONS**

Section 1 of the Localism Act 2011 gives the Council the power to do anything that individuals may generally do.

Section 111 of the Local Government Act 1972 gives the Council the power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

Legal Services should be consulted at the earliest opportunity to review any terms and conditions of acceptance of the grant funding and ensure that any obligations and in particular, clawback provisions can be complied with.

Goods and services being procured should be undertaken in accordance with the Council's Contract Procedure Rules.

In relation to employment of staff, it is advisable to set up a temporary contract for a fixed term. In order for liability in relation to unfair dismissal, to be limited there must be a legitimate reason for a fixed term contract and the employee must be made aware of this reason and of the anticipated

length of the contract at the commencement of the contract. After the 4th year of renewal the employee may be entitled to the position on a permanent basis.

If the length of the contract exceeds 1 year upon termination the employee may be entitled to be placed on the redeployment register and after 2 years may be entitled to a redundancy payment.

The Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 confirm that employees should not be treated less favourably on the ground they are fixed term unless this is objectively justified. Less favourable treatment means, but is not limited to pay and terms and conditions.

It is important that sight is not lost of the Council's recruitment, retention, and vacancy management policies, which should be followed.

Section 9 of the Road Traffic Regulation Act 1984 permits a local highway authority, for the purposes of carrying out an experimental scheme of traffic control, to make an experimental traffic order. This order may make any such provision, as may be made by a traffic regulation order (TRO).

Section 1 of the Road Traffic Regulation Act 1984, provides the reasons why a TRO may be made, included are "for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising", "for facilitating the passage on the road or any other road of any class of traffic (including pedestrians)" and "for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality)".

Section 2 of the Road Traffic Regulation Act 1984, details what a TRO may provide, included in is "any provision prohibiting, restricting or regulating the use of a road, or of any part of the width of a road, by vehicular traffic, or by vehicular traffic of any class specified in the order".

An Experimental Traffic Order has a maximum duration of 18 months and cannot restrict access, for more than 8 hours in any period of 24 hours, for vehicles of any class to any premises situated on or adjacent to that road or any other premises accessible for vehicles of that class from, and only from, that road. Consultation with statutory bodies, including the Police/Fire/Ambulance service and local bus operators is required prior to an experimental traffic order being made.

Name: E.Robinson

Date: 29/02/2024

Name of Assistant Director of Legal and Democratic Services (or representative)

## **BOX 6**

### **FINANCIAL IMPLICATIONS:**

This report seeks to:

- To accept grant funding from DEFRA to deliver School Street road closures in Doncaster.

CDC have not yet received any Grant Terms and Conditions from DEFRA as yet but have been informed

that:

- The grant will come direct from DEFRA to CDC and the funding of £238k is ring fenced to deliver an air quality behaviour change initiative to deliver a programme of works which include:

8 x Experimental School Street Road Closures (Inclusive of ETRO Cost, Design Fees, Bollards/Planters, Signage, Landscaping, Air Quality Monitoring Equipment & My Air public portal, Launch day activities, school assemblies, bikes/ scooters, and storage for each school) - £131,674.20

Recruitment of School Street Project Coordinator Full time Grade 9 for 24 months including on costs - £106,855.52

The funding is anticipated to commence 1<sup>st</sup> April 2024 and run for 24 months.

On approval to accept the Funding:

- the capital funding element will need adding into Doncaster Council's Capital Programme and relevant scheme(s) added to the Capital Programme (which will mainly be for the Air Quality Monitoring equipment).
- the revenue funding element will need adding into Doncaster Council's Revenue Budgets with appropriate codes/budgets adding.
- Gain authorisation from the CFO to agree the new in-year additions to the capital programme.

The scheme(s) will be monitored through the standard Collaborative Planning (CP) Capital Quarterly Monitoring/Revenue Monthly Monitoring, with any issues with delivery of the scheme raised at the earliest opportunity and reported to the Capital and Major Projects Board (CAMP).

Should any ineligible spend be identified, or spend exceed the maximum grant allocation, then alternative funding sources would need to be identified by the Service to cover this spend.

There is no requirement for any match funding towards this project.

Financial Procedure Rules relating to External Funding state:

E.9 Directors are authorised to apply for external funding, in consultation with the CFO, which contribute to the delivery of Council services or achievement of Council goals. Grant acceptance and/or commitment is subject to key decision rules; acceptance and/or commitment to revenue funding above £250,000 will be approved by key decision and acceptance and/or commitment to capital funding above £1,000,000 will be approved by key decision. It must be explicit in the grant determination that the funding is capital grant, otherwise the threshold for approval by key decision will be £250,000.

E.10 Grant acceptance and/or commitment relating to external funding opportunities arising after the budget has been set and which will be used to replace funding for existing approved activity (i.e. a funding swap), can be approved by the CFO and will not be subject to key decision rules, provided the terms and conditions of the funding do not change the scope of the existing approved activity.

E.11 Grant acceptance and/or commitment relating to external funding from Government, where the Council has no choice but to accept the funds and where the Council must spend or passport the funds as directed by Government, can be approved by the CFO and will not be subject to key decision rules.

E.12 Any external funding received by the Council after the budget for the year has been approved, outside of rule E.9, E.10 and E.11, will be classed as a corporate resource unless otherwise determined by the CFO.

E.13 Directors are responsible for ensuring that action plans are in place (including exit strategies and

match funding arrangements) for all external funding within the Directorate.

E.14 The CFO, in consultation with the respective Director, is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Council's accounts. Directors are responsible for promptly informing the CFO about such funding and of any subsequent modifications to timing and amounts of anticipated funding.

E.15 Where the income is receivable against a grant claim, the respective Director is responsible for producing the grant claim and shall provide sufficient information to enable the claim to be signed by the Chief Executive, CFO or any other relevant person where appropriate.

The Service must ensure these rules are adhered to.

**Name: Jeanette Inkson**

**Date: 27/02/2024**

Name of Chief Financial Officer and Assistant Director of Finance (or representative)

### **BOX 7**

#### **OTHER RELEVANT IMPLICATIONS**

None identified.

**Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Name of Assistant Director (or representative)

**ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.**

### **BOX 8**

**EQUALITY IMPLICATIONS:** (To be completed by the author).

By providing opportunities to continue further implementation of School Streets across Doncaster enables CDC to widen the reach of the initiative that seeks to create a safer, healthier and pleasant environment for children actively travelling to and from school.

Children are particularly at risk from air pollution, as their immune systems, lungs and brains are still developing. Air pollution can affect children's physical health, their ability to learn, and even lead to death. Yet millions of children are still exposed to dangerously high levels of air pollution, as almost all UK schools are in areas above WHO air pollution limits. (Global Action Plan, 2024)

### **BOX 9**

**RISK IMPLICATIONS:** (To be completed by the author)

The main risk to the initiative is take-up of the School Streets offer by schools, however we have engaged with numerous schools in previous School Street projects who have trialled one day closures; 3 schools are also testing out an experimental road closure and we will be supporting them to make these

fully permanent over this next financial year and we already have interest from other schools who would like to work towards a permanent closure, which this funding enables us to do.

CDC will also be employing an Active Travel Officer to work with schools across Doncaster on a variety of active travel initiatives that support the School Street. Therefore, links and relationships with schools across Doncaster are already in place to help facilitate take up of this initiative.

**BOX 10  
CONSULTATION**

**BOX 11  
INFORMATION NOT FOR PUBLICATION**

Background papers should be redacted under section 40 of the Freedom of Information Act 2000 because it contains information this is deemed sensitive personal information.

Signatures should also be redacted under section 40 of the Freedom of Information Act 2000, as the information is personal and sensitive and exempt from publication.

**Name:** A J Rowbotham                      **Date:** 4<sup>th</sup> Mar 24

Name of FOI Lead Officer for service area where ODR originates

**BOX 12  
BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR YES/NO

(If YES please list and submit these with this form)

- Doncaster School Streets 2022.23 Evaluation
  
- Doncaster School Streets 2021.22 Evaluation

**BOX 13**

**AUTHORISATION**

**Name:** Rachael Leslie **Signature:**  
Acting Director of Public Health

**Date:** 13<sup>th</sup> March 2024

**Does this decision require authorisation by the Chief Financial Officer or other Officer**

**NO**

**If yes please authorise below:**

**Name:** \_\_\_\_\_ **Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Chief Executive/Director/Assistant Director of \_\_\_\_\_

**Consultation with Relevant Member(s)**

**Name:** Councillor Nigel Ball **Signature:** **Date:** 26/02/2024

**Designation** Cabinet Member for Public Health, Communities, Leisure and Culture

**(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)**

**Declaration of Interest** ~~YES~~/NO

**If YES please give details below:**



**PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.**

**Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at [Ladem@doncaster.gov.uk](mailto:Ladem@doncaster.gov.uk) who will arrange publication.**

**It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.**