

Notice of Non-key Executive Decision

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| Subject Heading: | LIP Annual Spending Submission 2021/22 |
| Cabinet Member: | Councillor Osman Dervish – Cabinet Member for Environment |
| SLT Lead: | Barry Francis – Director of Neighbourhoods |
| Report Author and contact details: | Daniel Douglas -Transport Planning Team Leader Spatial Planning Group 01708 433220 daniel.douglas@havering.gov.uk |
| Policy context: | New London Plan (2021) Mayor's Transport Strategy (2018) Emerging Havering Local Plan 2016-2031 Local Implementation Plan (LIP3) Submission to Transport for London Cabinet Report – 13th November 2018 Havering's Local Implementation Plan (LIP3) |
| Financial summary: | Approval sought for the content of the 2021/22 LIP Annual Spending Submission to be submitted to Transport for London (TfL). The proposed submission accords with the financial context set out in the 13 th November 2018 Cabinet report and the guidance provided by Transport for London in January and June 2021. |
| Relevant OSC: | Environment |
| Is this decision exempt from being called-in? | Yes, it is a Non Key Decision |

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The subject matter of this report deals with the following Council Objectives

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| Communities making Havering | [x] |
| Places making Havering | [x] |
| Opportunities making Havering | [x] |
| Connections making Havering | [x] |

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

That the content of the recommended Local Implementation Plan Annual Spending Submission 2021/22 (as set out in Appendix A) be approved and submitted to Transport for London.

AUTHORITY UNDER WHICH DECISION IS MADE

The Local Implementation Plan 3 being the pre context to the 2021/22 LIP Submission was approved by Cabinet on 13th November 2018.

STATEMENT OF THE REASONS FOR THE DECISION

Background

1. A Local Implementation Plan (“LIP”) is a statutory document prepared under Section 145 of the Greater London Authority (“GLA”) Act 1999. Its purpose is to set out to Transport for London (“TfL”) how the London Borough of Havering (“Council”) intends to deliver the Mayor of London’s Transport Strategy (“MTS”) at a local level.
2. A LIP is required if the Council is to receive annual funding from TfL. The Mayor of London intends that this financial support will allow the borough to implement schemes to improve the transport network in line with Mayoral requirements and with regard to local circumstances, priorities and resources.
3. A key part of the LIP is the Three Year Delivery Plan which sets out how the Council intends to spend indicative allocations received from the Mayor. The Three Year Delivery Plan set out broad packages of schemes that would be delivered over specific time periods. This covered the 2019/20, 2020/21 and 2021/22 financial years. The Council’s LIP was approved by the Deputy Mayor for Transport in June 2019.
4. The Three Year Delivery Plan has since been interrupted due to Coronavirus pandemic, where in May 2020 boroughs were instructed by TfL to pause their 2020/21 programmes, due to financial funding uncertainties. Since this time, TfL have been successful in agreeing a number of interim funding packages with the Government which covered costs firstly up until 31st March 2021 and more recently up until 11th December 2021, referred to as ‘Extraordinary

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Funding and Financing Agreement'. This funding to date has covered the Council's sunk/staff costs, the London Streetspace ("LSP") programme and a restart of some of the 2020/21 LIP schemes.

5. Most recently, TfL have reached a funding settlement with the government to cover the period from June up to 11th December. TfL received £1.08 billion from the government which includes a requirement to invest £100m in Active Travel. The funding the government receives also includes Local Implementation Plan funding that boroughs receive on an annual basis from TfL.
6. TfL are in discussion with the Department for Transport (DfT) to secure a funding settlement for the remainder of the 2021/22 financial year beyond 11th December.

Annual Spending Submissions

7. Every year, the Council must make a LIP Annual Spending Submission (ASS) to TfL to secure funding for transportation initiatives and programmes that will be delivered across the Borough in the following financial year. This report deals with the Council's 2021/22 LIP submission and contains the list of projects that the Council will fund from its LIP allocation during the course of that year, should funding be confirmed. The list of schemes can be found in Appendix A of this report.
8. Following advice from TfL the content of Havering's proposed 2021/22 LIP submission is based on what can be delivered by 11th December which is, indicatively as follows:
 - £1.553m under the Corridors, Neighbourhoods and Supporting Measures programme*
 - £0.015m Bus Priority Programme*
 - £0.040m Romford Liveable Neighbourhoods*

*Please note that at this stage there has been no confirmation from TfL that this sum will be what the Council will receive. The nature of the programme categories can be found in Appendix A of this report.

9. In addition to the values set out in paragraph 8, Havering is currently awaiting advice from TfL on the level of funding it is expecting to receive for the Beam Park Major Schemes programme. In addition, earlier this year Havering was advised to submit a funding application for Principal Road Maintenance schemes up to the value of £0.750m. Details of these schemes can be found in Appendix A, however no funding to date has been allocated to Principal Road Maintenance.

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10. As in previous years, TfL has advised London Boroughs to develop their 2021/22 submissions based on its LIP Funding Guidance advice which was issued earlier this year. The Council's LIP Annual Spending Submission for 2021/22 should therefore have regard to:

- a. Supporting the Mayor's Healthy Streets Programme, the important Vision Zero road safety initiative and the temporary initiatives delivered by the London Streetspace Programme and (Emergency) Active Travel Fund developed as part of the Mayor's response to the Coronavirus pandemic.
- b. Encourage measures that affect significant modal shift from the private car to walking, cycling and public transport in line with the overarching objective of the MTS.
- c. Reflect the Mayor's three core priorities of Healthy Streets and Healthy People, A Good Public Transport Experience, and New Homes and Jobs as set out in the Mayor's Transport Strategy.
- d. Work towards delivering LIP targets as set out in borough Local Implementation Plans (LIP3)
- e. Reflect the Council's own priorities and strategies and objectives as set out in our Local Implementation Plan (LIP), and other strategies such as the new Havering Plan and Corporate Vision for the borough and the Council's Local Plan.
- f. Boroughs are expected to demonstrate through their bids their commitment to key themes / topics such as cycling, bus reliability and air quality in order to access complementary Mayoral funding pots.

11. Within the constraints of TfL's requirements the Council's LIP submissions are shaped each year, as far as practicable, to assist significantly in the delivery of the Council's priority areas and other Council strategies.

12. The programme of schemes delivered by the Council using LIP funding can play a significant role in achieving the Council's Corporate Vision which focuses on four key themes, Communities, Places, Opportunities, Connections as well as many other individual programmes and projects that will help secure the Council's priorities across Havering.

Guidance from Transport for London

13. TfL advised in June that there will be less funding for boroughs than in previous years because of the financial constraints TfL remain under. Funding will be allocated to boroughs on a priority basis. At this stage TfL are unable to confirm to boroughs the level of funding that they will receive up until 11 December.

14. The most recent guidance issued by TfL can be found in Appendix B of this report and the priority for funding is set out below:

- Priority 1a - Staffing costs for posts funded through the LIP
- Priority 1b – "in flight" schemes (schemes started but not yet fully

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implemented)

- Priority 2 – Major Schemes, Liveable Neighbourhoods CCM schemes
- Priority 3 – General LIP Schemes (a boroughs normal Annual Spending Submission)

15. TfL have advised that funding for Priority 3 schemes will only be allocated to boroughs once TfL have taken into account the funding requirements across London Boroughs for priorities 1a, 1b and 2. The level of funding available for priority 3 schemes will depend on the level of funding required across London for priorities 1a, 1b and 2.

16. The Council is expecting to receive additional funding under the Major Schemes and 'Liveable Neighbourhoods' programme areas to carry out further work developing the Beam Parkway and Romford Liveable Neighbourhoods projects. At the time of writing this report, Officers are discussing with TfL the funding requirements for Beam Parkway Major Scheme. It is not yet known how much funding TfL will be able to make available for this project up until 11th December.

17. TfL have advised that schemes supporting *Vision Zero* should be prioritised as part of priority 3 submissions. TfL have advised that priority 3 schemes should only be put forward if they can be delivered by 11th December 2021. This is because the Department for Transport (DfT) requires the funding to be spent by this date and at the present time there is no funding allocated beyond this date.

Content of LIP Annual Spending Submission 2021/22

18. The recommended LIP Annual Spending Submission for 2021/22 provides a detailed and costed programme of schemes and initiatives for the third year of the Three Year Delivery Plan referred to in paragraph 3. The proposed content of the 2021/22 Annual Spending Submission is broadly consistent with the approved content in the Delivery Plan and can be found in Appendix A of this report.

19. Importantly, TfL guidance allows London Boroughs the opportunity to make changes to their Delivery Plan through the Annual Spending Submission process. This has been necessary for the 2021/22 submission because a number of schemes were unable to be delivered last financial year due to work restrictions during the Pandemic. Havering's 2021/22 submission therefore contains several schemes that had previously been earmarked for delivery in 2020/21. It is now proposed that these schemes are delivered in the 2021/22 financial year.

20. As mentioned above, this submission has been devised to meet the Council's

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local priorities as well as Mayoral requirements including the Mayor's Healthy Streets and Vision Zero agendas. TfL have in particular advised boroughs to prioritise schemes that support Vision Zero. It seeks to reflect the aspirations of the Council's 'Vision' and Local Plan. Similarly, it seeks to complement, and help deliver existing, and future, regeneration initiatives, particularly supporting the emerging Housing Zones of Romford and Rainham and Beam Park.

Scheme Prioritisation

21. Appendix A sets out the schemes that are proposed to be included as part of the 2021/22 Submission. Officers have identified schemes that meet the following criteria:

- Priority 1a, 1b, 2 and 3 of Transport for London's (TfL) June Guidance (see Appendix B)
- Corporate Priorities – Schemes that directly support Housing Zones including Beam Parkway, Romford Liveable Neighbourhoods and adopted Council policies such as the Air Quality Action Plan
- Casualty Reduction Agenda – Schemes that support the Mayor's Vision Zero initiative and will contribute to the Council's KSI reduction targets
- Healthy Streets Agenda – Schemes that support the Mayor's Healthy Streets Agenda and recently adopted national policies on Cycling and Walking (Gear Change).
- Continued schemes from 2020/21 – Schemes that were designed in 2020/21 financial year and will need to be completed during 2021/22.

22. In addition, a number of schemes have been identified but due to TfL expecting to allocate a smaller amount of funding than previous years and delivery timescale constraints, are not currently included in the programme. These have also been set out in Appendix A.

Other funding opportunities

23. Officers continue to work closely with TfL to ensure that when in year funding opportunities become available, they are maximised. In recent years, the Council has received in year funding for bus priority, cycle training, air quality and Crossrail programmes.

24. Officers will continue to examine TfL's Guidance to ensure that future transportation and urban realm projects covering these and other regeneration areas in the borough are channelled through the mechanisms most likely to optimise the total overall TfL funding made available to the Council to deliver them.

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Next steps

25. TfL will assess the Submission to ensure it conforms to the Mayoral requirements before confirming the Council's 2021/22 LIP allocation. Once TfL have confirmed the level of funding that the borough will receive a final programme of works will be agreed with TfL.
26. As in previous years, Members will be advised of the approval of the Submission when it is confirmed by TfL.

OTHER OPTIONS CONSIDERED AND REJECTED

27. The annual LIP Funding Submission is required in order for the Council to secure funding from TfL for a range of transportation-related initiatives in the Borough. Without such a submission, the Council will not receive adequate funding for implementation of its highway, transportation and environmental policies and programmes, this will be to the detriment of Havering's residents and businesses as well as visitors to the borough.
28. There are no alternative funding sources or mechanisms for securing funding for these programmes in Havering in 2021/22.

PRE-DECISION CONSULTATION

29. The "Core" content of the 2021/22 LIP Annual Spending Submission was the subject of a Cabinet Report on 13th November 2018 as part of the wider Local Implementation Plan (LIP3). Consultation with the Leader and Cabinet Member for Environment has been undertaken as part of finalising the recommended submission content.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Daniel Douglas

Designation: Team Leader Transport Planning

Signature:

D. Douglas

Date: 24th June 2021

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

30. Under section 145 The Greater London Authority Act 1999 requires all London Borough Councils develop a Local Implementation Plan (LIP) setting out how they intend to implement the Mayor of London's Transport Strategy.
31. Councils make spending submissions to Transport for London for funding towards proposed transportation projects and initiatives.
32. Whilst there remains some uncertainty as to the level of funding the Council will ultimately receive from Transport for London the advice is that the submissions should be based on the indicative allocations as set out in Appendix A and TfL Guidance in Appendix B.
33. There are no specific legal implications or risks arising directly from this submission. Although further legal resources in the form of drafting contractual documentation and advice will need to be committed to bring into effect the measures for which funding is sought.

FINANCIAL IMPLICATIONS AND RISKS

34. The estimated funding that the Council will obtain from TfL through the LIP Submission for 2021/22 will be the main source of capital funding for transportation projects and initiatives in the Borough.
35. Every opportunity will continue to be taken to secure funding from other sources and programme areas, including developer contributions, to supplement this in line with TfL's requirement that boroughs should reduce their dependency on TfL funding.
36. As before, the need to minimise as far as practicable ongoing maintenance costs will be taken into account in all schemes that are awarded funding. New schemes have the potential to reduce or increase maintenance requirements, but this net effect will need to be contained within existing budgets.
37. The Council Capital Programme has in recent years included funding to support capital investment in highway maintenance and improvement schemes. As far as possible within the constraints of the TfL LIP guidance and funding allocations, every opportunity will be taken to make use of the LIP funding in a way which safeguards the Council's own scarce capital resources.
38. The 2021/22 proposed submission is based on the LIP funding guidance as per advice from TfL.
39. The Councils LIP bid submission for 2021/22 which is shown in more detail in Appendix A as follows:
 - £1.533m - under Corridors, Neighbourhoods and Supporting measures

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- £0.015m - Bus Priority
- £0.040m - Liveable Neighbourhoods
- £0.750m - Principal Road Maintenance

40. The amounts under the Corridors, Neighbourhoods and Supporting Measures Funding reflect the advice provided by TfL in their guidance notes which can be found in Appendix B.

41. As noted in paragraph 8, there are no guarantees at this moment that any funding for the period up to 11th December will be received. If successful however, further financial implications will be reviewed on a case-by-case basis.

42. It should be noted that twelve members of staff for a full financial year at a value of c£0.723m are part funded through the LIP. Lack of funding therefore will have implications for the Council's own budgets

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

43. It is anticipated that the programmes and projects in the LIP will be delivered mainly by Council officers. On occasion, there may need to be input and support from the Council's term framework contractors and/or consultants engaged specifically to manage projects.

44. If LIP funding were not secured for the 2021/22 programme of projects, this could impact on staff resources given that some posts across the Council are dependent on LIP funding to deliver their work programmes. Any staffing impact will be managed in accordance with the Council's agreed HR policies and procedures.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

45. The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

46. The Council is committed to all of the above in the provision, procurement and

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commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

47. An EqHIA was carried out as part of the Local Implementation Plan work earlier in 2019. Since the LIP3 is the foundation for the 2021/22 LIP Submission there is not a requirement to undertake a further EqHIA to support this work.

BACKGROUND PAPERS

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Proposal NOT agreed because

Details of decision maker

A handwritten signature in blue ink, appearing to read 'Osman Dervish', with a long horizontal line extending to the right.

Signed

Name: **Councillor Osman Dervish**

Cabinet Portfolio held: **Cabinet Member for Environment**

CMT Member title: **Nicolina Cooper – Interim Assistant Director of Public Realm**

Head of Service title:

Other manager title:

Date: **23/06/2021**

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

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Signed _____