

Peter Lewis
Executive Director Corporate Resources
& Services (Interim)

03302 227125 (Direct)
01243 777697 (Fax)
peter.lewis@westsussex.gov.uk

www.westsussex.gov.uk

Corporate Resources & Services

County Hall
West Street
Chichester
West Sussex
PO19 1RQ

01243 777100



Mr Cartmell
31 Greentrees Crescent
Sompting, Lancing
West Sussex
BN15 9SY

30 July 2015

By e-mail only
ajcartmell@fonant.com

Dear Mr Cartmell

Complaint dated 22 June 2015 – Local Enterprise Partnership – Local Transport Board grant award decision

I have considered your complaint in my capacity as Accountable Body representative for the Coast to Capital Local Enterprise Partnership. I understand that the key elements of your complaint are:

- That funding has been provided by the Department for Transport (DfT) for the purposes of providing sustainable transport
- That you believe that the Worthing Sustainable Transport Package does not constitute a 'sustainable transport scheme' and therefore is not entitled to receive grant funding from the LEP
- That in awarding funding to the Worthing Sustainable Transport Package, the Coast to Capital LEP is in breach of the DfT terms of funding.

As the Accountable Body representative, I have a number of responsibilities in relation to legal and financial compliance of the Coast to Capital LEP in relation to its Growth Deal with Government. Those which are relevant to your complaint are:

- To ensure that funds are used appropriately, and;
- To ensure that the LEP's Local Assurance Framework is adhered to.

Appropriate Use of Funds

The funding that is being awarded by the LEP is in relation to Round 1 of Local Growth Fund (LGF) being made available by the Department for Communities and Local Government (DCLG) in respect of the LEP's Growth Deal with Government. This capital funding has been brought together from a number of Government Departments including the DfT for roads and transport, as well as housing and skills. This funding is being managed through the Department of Business, Innovation and Skills (BIS) in collaboration with Local Enterprise Partnerships nationally in order to drive economic growth through the creation of jobs, homes and new employment space.

The overriding condition attached to the funding is that it should be used for 'capital purposes', ie the creation, acquisition or enhancement of fixed assets. The LEP is required to utilise this funding to invest in its Growth Deal and Strategic Economic Plan (SEP) approved by Government. This includes infrastructure like roads, transport, buildings and equipment in partnership with local partner investment from the public and private sector. The key driver is economic growth.

Local Assurance Framework

The LEP is required to deploy the LGF funding in accordance with the its Local Assurance Framework which was reviewed and agreed by the Accountable Body in March 2015 in terms of compliance with national standards. This can be found on the LEP's website.

The Assurance Framework for the Local Transport Body (LTB) forms part of the overall Local Assurance Framework for the LEP and has been approved by DfT. However, responsibility for decision making sits with the democratically elected Board Members advised by independent transport consultants. The approval of business cases for 'retained schemes' is reserved for the DfT due to their technical complexity and scale. However, DfT have no other involvement in the decision making processes of the LEP and its LTB.

I have reviewed LEP documentation including its SEP, guidance to bidders, the application for grant, technical advisers report and officer reports and minutes of the LTB meeting on 25 March 2015 which approved the scheme. I note the following:

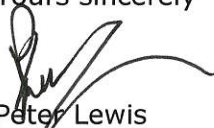
- The SEP (page 85) sets out the LEP's proposals and approach to delivering 'sustainable' packages which include improvements to walking and cycling links and the urban realm. It is noted that there is no DfT definition of 'sustainable transport'. Essentially this sets out the LEP's definition of 'sustainable' in relation to transport and non-transport measures that will be deployed to drive economic growth.
- The Worthing scheme is referred to in Annex 3d of the SEP as follows: *'Improving the attractiveness of the town centre and reducing congestion through better connectivity for pedestrians and cyclists, public realm enhancements, bus priority and junction improvements.*
- The LEP has issued guidance to promoting bodies bidding for LGF funding which is consistent with this definition and allows a broad interpretation of sustainable travel including walking, cycling, public transport, low emission vehicles etc.
- The application for the Worthing Sustainable Transport Package – Stage 1 (Montague Street) describes the wider scheme that is intended to be delivered, starting with Phase 1 in Montague Street, and sets out the business case for the wider scheme and the impact that phase 1 will have in terms of improving the town centre area together with expected impact upon business and jobs growth. It is noted that promoting authorities will be invited to bid for future rounds of LGF funding to deliver further phases of a number of transport packages that have been awarded funding in this round 1 of Growth Deal funding.
- The LEP has engaged the professional technical expertise of Parsons Brinkerhoff, a multinational, industry leader specialising in engineering and construction projects, to evaluate the project applications for grant and has relied upon their expertise.
- The Accountable Body role is concerned with legal and financial compliance and therefore the Accountable Body takes its assurance in relation to professional technical matters from the engagement of the technical experts Parsons Brinkerhoff.
- Parsons Brinkerhoff has evaluated the application for Phase 1 in the context of the wider proposed scheme. Its report concludes that:

'The scheme is well developed for this stage of the process, and there is sufficient and appropriate evidence to support the business case'. The scheme is considered to represent high value-for money. The scheme scoring assessment has concluded an overall score of 18. The reviewer considers that the business case is robust and fit for purpose for a scheme of less than £5m and recommends that the requested LTB funding of £0.8m is approved for the Worthing Sustainable Transport Package dependent upon the ranking of schemes.'

Conclusion

Based upon the review that I have conducted, I am therefore satisfied that the Coast to Capital LEP, through the operation of its Local Transport Body, has complied with its Local Assurance Framework in relation to its decision to award funding to the Worthing Sustainable Transport Package – Phase 1 (Montague Street). The Local Growth Fund has been approved for use in accordance with the funding conditions and requirements specified by the DCLG in its award of funding under Growth Deal 1. I therefore am unable to uphold your complaint.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Lewis', with a long, sweeping flourish extending to the right.

Peter Lewis
Accountable Body Representative
Executive Director Corporate Resources & Services
West Sussex County Council.

