



Tonbridge and Malling Borough Council

Highways and Transportation

Road Safety and Active Travel Group
Kroner House
Eurogate Business Park
ASHFORD
TN24 8XU

Phone: 03000 416629
Ask for: Miranda Palmer
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8 February 2023

Dear Bartholomew

Active Travel Capability Fund Grant 2022/23

I can confirm that Kent County Council has been successful in being awarded an Active Travel England revenue grant through the Active Travel Capability Fund 2022/23.

Tonbridge and Malling Borough Council have been awarded:

- A maximum of £10,000 to assist with development of a borough wide LCWIP
- A maximum of £15,000 to be provided on a phased approach to assist with the Scheme Planning and Design for the upgrade of footpaths MR581 and MR32 in Snodland.

Development of LCWIPs are considered to be plans setting out infrastructure investment priorities, integrating with local behaviour change initiatives and wider policies and targets, other transport modes (e.g. LTP) and local plans. Overall network plan with rationale and priorities.

The Scheme Planning and Design element is considered to be early feasibility stage design of schemes to the point of bidding for capital funds, including early plans sufficient for bid stage assurance against ATE design tools.

Your attention is brought to the need to have read and accepted the conditions attached in Appendix A to this grant.

You are required to sign the letter (Appendix B) on appropriate headed paper and by a person with the authority to do so on behalf of the District/Borough Council.

Yours sincerely,

Miranda Palmer
Active Travel Interventions Team Leader

Appendix A: Conditions

The following terminology is used:

- ATE: Active Travel England
- KCC: Kent County Council
- District/Borough: the relevant District/Borough Council which is mentioned in the covering letter

The District/Borough Council are to comply with the following conditions that are associated with the award of the grant:

- Ensuring suitable financial controls are in place to manage the grant as any expenditure over and above the grant allocated to you will be your responsibility. No additional funding will be allocated by KCC.
- Ensuring the use of the funding complies with UK's international obligations in relation to subsidy control and any UK subsidy control legislation. Should you break any of this legislation you will be required to repay the grant.
- Ensuring you can and will deliver the programme of work set out in the Active Travel Capability Fund email dated 13 Jan 2023 in accordance with this letter dated 8 February 2023.
- Ensuring the funding is committed, spent and delivered within 12 months of the funding being awarded (which we will treat as 13 January 2023, the day the Section 31 Grant form was returned signed to the ATE). We appreciate that during implementation, opportunities or challenges may arise that require a change to your project in order for outcomes to be realised to their full potential, including where activities interact with and support objectives in the Active Travel Fund (local authority capital funding). Smaller changes, including for reduced or enhanced funding compared to the bid level, should be reported to KCC at the earliest opportunity to allow KCC to report back to ATE if appropriate. Should the change be substantial enough to cease to represent the programme for which funding was awarded, or should your ability to deliver the objectives for which funding was awarded be significantly compromised, Active Travel England reserves the right to reclaim any unspent revenue funding.
- Payments will be made six monthly (July 2023, Jan 2024) on receipt of the six monthly monitoring reports.
- ATE will provide Kent County Council with Monitoring and Evaluation Guidance, which on receipt will be forwarded to the District / Borough. The guidance will set out the monitoring and evaluation requirements, which aim to drive up the quality and consistency of evidence generated, whilst acknowledging that the scale and nature of monitoring and evaluation will depend on the scale and type of intervention. Kent County Council will report back on progress and outputs including completing a 6 and 12 monthly monitoring survey. KCC will share data collected from beneficiaries with ATE for evaluation purposes. ATE's national evaluation partner will be conducting a thematic evaluation of particular scheme types. This means that some local authorities will be required to participate in a national evaluation of Active Travel Capability Fund activities.
- Ensuring that you are fully GDPR compliant. If authorities are selected to be part of the national evaluation programme, both KCC and ATE will require access to data for evaluation purposes. If this is the case, KCC and ATE will agree a data processing agreement with the

authority, outlining what data will be shared and for what purposes. Under this agreement, ATE and KCC will be independent data controllers. ATE will also provide a privacy notice outlining how data will be used for evaluation purposes. This should be used alongside your own privacy notice when collecting data from beneficiaries.

- KCC and ATE will observe its obligations under the Data Protection Act 1998 in responding to requests made under the Freedom of Information Act 2000. Where a request includes personal information that you have provided, we will consult you before deciding whether such information should be disclosed. Information about junior staff who are not in public facing roles will not normally be disclosed. In addition to this, we may share information for the purposes of countering fraud or otherwise as required or permitted by law.
- Personal information collected for grant purposes will be used by KCC and ATE for administering the Active Travel Capability Fund 22/23. The information may be shared for the purposes of countering fraud or otherwise as required or permitted by law. It is suggested that claimants familiarise themselves with the Fraud Act 2006 and the Bribery Act 2010 when making claims, and in provision of funding to partner organisations.
- KCC and ATE reserves the right to publish relevant data and use it to inform public statements. Future Government Spending Rounds are subject to evidence showing good performance in delivery. This means that poor or non-delivery of bid objectives for the Active Travel Capability Fund may have an impact on the funding your authority receives in future. All funding will depend on the willingness of Kent County Council to follow relevant national guidance in the course of scheme development and implementation, e.g. Local Transport Note 1/20 (which sets out guidance on designing high-quality, safe cycle infrastructure) and Manual for Streets.
- Complying with all applicable procurement laws when procuring goods and services in connection with the Project and KCC shall not be liable for any failure on your behalf to comply with its obligations under any applicable procurement laws.
- Ensuring that you maintain appropriate records of compliance with the relevant subsidy control regime and will take all reasonable steps to assist ATE to comply with the same and respond to any proceedings or investigation(s) into the use of the funding by any relevant court or tribunal of relevant jurisdiction or regulatory body. Further guidance is available from: www.gov.uk/government/publications/uk-subsidy-control-statutory-guidance
- Monthly meetings, or more frequently if deemed necessary, with KCC to confirm progress and invitation of KCC officers to all relevant working group meetings.
- Ensuring you have robust accounting, monitoring and transparency arrangements in place to allow for appropriate accountability to their communities. KCC and ATE reserve the right to approach authorities if internal or external auditors require information relevant to their scheme. You will provide quarterly updates including qualitative and quantitative data will be provided in July 2023 and January 2024, and in advance of the bi-annual payments with a final report in January 2024. This will include:
 - Data and information as per the ATE Monitoring and Evaluation Guidance (to be circulated on receipt from ATE)
- Ensuring you are fully compliant with the 2010 Equality Act and the Public Sector Equality Duty. This includes considering impacts of the project on protected characteristic groups during the scheme design process and in the monitoring and evaluation stage.

Appendix B: Letter of response

Kent County Council

For the attention of:

Dear

Active Travel Capability Fund Grant 2022/23

I acknowledge receipt of your letter dated 8 February 2023 in regard the Active Travel Capability Fund Grant 2022/23

I confirm that I am content with the conditions set out in Appendix A for the receipt of the grant for £25,000.

I confirm that I have the appropriate delegated powers to sign this letter on behalf of the District/Borough Council.

Signature:

Position:

Date: