

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Authority to enter into a contract with Cycle Confident for Cycle Training services
<b>Decision Maker:</b>	Imran Kazalbash, Assistant Director of Public Realm
<b>Cabinet Member:</b>	Councillor Barry Mugglestone, Lead Member for the Environment.
<b>SLT Lead:</b>	Barry Francis, Director of Neighbourhoods
<b>Report Author and contact details:</b>	Martin Day, 01708 432869 <a href="mailto:martin.day@havering.gov.uk">martin.day@havering.gov.uk</a>
<b>Policy context:</b>	Mayors Transport Strategy 2018, Local Implementation Plan 2019, LBH Air Quality Action Plan 2019, LBH Obesity Strategy, LBH Climate Change Strategy.
<b>Financial summary:</b>	The Council has been allocated funding of £0.056m from Transport for London (TfL) through the Local Implementation Plan (LIP) for the period up until 31 March 2023.
<b>Relevant OSC:</b>	Places OSSC
<b>Is this decision exempt from being called-in?</b>	The decision will be exempt from call in as it is a Non key Decision

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

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**

This report seeks authority to enter into a contract for cycle training services with Cycle Confident from November 2022 to 31 March 2023 at a total contract value of £56,000.

#### **AUTHORITY UNDER WHICH DECISION IS MADE**

Part 3 (Responsibility for Functions), Paragraph 3.4 (Powers of Second Tier Managers) of the Council's Constitution:

Contract powers

a) To approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000 but above the EU Threshold for Supplies and Services.

#### **STATEMENT OF THE REASONS FOR THE DECISION**

1. The Council has provided free at the point of delivery National Standard Bikeability cycle training using Transport for London funding allocated in the LIP for over ten years and it remains hugely popular. Anyone who works, lives, or studies in the Borough can access the training. Demand always outstrips the funding available, especially from schools.
2. The delivery of the skills needed for trainees to be able to cycle safely and responsibly on our roads is a key part of encouraging cycling. Cycling has a number of mental and physical wellbeing benefits and also assists in reducing congestion on the Borough's roads and harmful emissions.
3. Residents are often keen to either switch or return to the bike but feel they need either a refresher or new knowledge in order to use their bike more often, especially for cycling on roads. For all concerned, especially children, they are receiving a very important life skill.

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4. Delivering cycle training every year supports the Council's Local Implementation Plan, and the Mayor's Healthy Streets Agenda. Furthermore, it contributes to the Mayor's target of every Londoner doing 20 minutes of active travel each day by 2041.
5. It also supports the work Havering does with schools in the borough encouraging more pupils to travel actively to and from school through the School Travel Plan process.
6. Giving individuals confidence to cycle can open up a new travel mode for them with all of the benefits that it brings to them personally and the wider community. Around 75% of the cycle training budget is spent on the highly successful schools training programme.
7. Prior to the COVID pandemic, funding has been allocated by TfL a few months ahead of a new financial year starting, which enabled the Council to undertake a procurement process and appoint a supplier to deliver the services by the beginning of April for at least one year.
8. However as a result of the pandemic, Transport for London has been under severe financial pressure and unable to provide boroughs with the funding certainty that has been the case in previous years.
9. Following confirmation of funding from TfL in October 2022, officers carried out a Request for Quotes procurement process, by contacting three cycle training providers in London. Out of the three providers one provider did not respond at all, one stated they would only respond to a formal ITT and the third provider, the incumbent, provided a quote.
10. The quote provided by Cycle Confident was competitive and in line with the rates previously paid by the Council. Therefore the Council intends to award the contract for cycle training services to Cycle Confident.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

11. Do nothing – not to deliver a cycle training service, which provides all the benefits outlined above, and given that TfL funding is available specifically for this purpose, was considered and rejected as potential cycle training trainees, of all ages, would have no access to this important service.
12. Running a competitive tender could have been considered but there is insufficient time to do so, as well as additional costs and resources of undertaking such a process. This option was rejected.

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**PRE-DECISION CONSULTATION**

None

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

Name: Martin Day

Designation: Senior Transport Planner

Signature: *Martin Day*

Date: 14 November 2022

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

13. The Council has the general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any limitations. The contract may be awarded in accordance with these powers.
14. The Council is a contracting authority for the purposes of the Public Contracts Regulations 2015 (as amended) (PCR). The value of the contract is below the services contracts threshold of £213,447 and therefore is not subject to the full rigours of the PCR. However the contract must still be procured in accordance with the Council's Contract Procedure Rules (CPR).
15. The body of this report confirms that officers have complied with the CPR.

### FINANCIAL IMPLICATIONS AND RISKS

16. Havering has historically received funding from Transport for London (TfL) to deliver the Cycle Training programme.
17. Currently a budget of £0.056m is available to spend from November 2022 until 31 March 2023. This is claimed from TfL in arrears.
18. Training delivered will be funded from the Transport for London LIP programme, there will therefore be no financial risk to the Council as a result of this decision.

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

19. There are no Council Human Resources implications as a result of this decision.

### EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

20. 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.

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

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

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

22. This decision seeks approval to proceed to appoint Cycle Confident until 31 March 2023 to continue to their delivery of cycle training in the Borough to anyone who lives, works, or studies, in Havering.
23. This training and the resulting greater levels of cycling across the Borough will contribute towards the Council's aim of being a carbon neutral organisation by 2040 or sooner by reducing harmful emissions from other transport modes.

### **BACKGROUND PAPERS**

None

### **APPENDICES**

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

**Details of decision maker**

Imran Kazalbash  
Assistant Director, Public Realm

Name:

A handwritten signature in black ink, appearing to read 'I Kazalbash', is centered on the page.

Cabinet Portfolio held:  
CMT Member title:  
Head of Service title  
Other manager title:

Date:

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**Lodging this notice**

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_