

Notice of NON KEY Executive Decision

Subject Heading:	Award of Contract to MP Smarter Travel to deliver DEFRA Air Quality Grant funded projects
Decision Maker:	Imran Kazalbash, Director of Environment
Cabinet Member:	Councillor Barry Mugglestone - Cabinet Member for Environment
SLT Lead:	Neil Stubbings – Director of Place
Report Author and contact details:	Jay Amin - Transport Planning Jay.amin@havering.gov.uk 01708 432875 Jay.amin@havering.gov.uk
Policy context:	Air Quality Action Plan (2018) Climate Change Action Plan (2024) Mayor's Transport Strategy (2018) Local Implementation Plan (2019)
Financial summary:	This Executive Decision is to approve the appointment of MP Smarter Travel to deliver a number of projects totalling £0.076m and will be funded through the DEFRA Air Quality grant.
Relevant Overview & Scrutiny Sub Committee:	Places Overview & Scrutiny Sub Committee
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non Key Decision

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

Non-key Executive Decision

People - Things that matter for residents x

Place - A great place to live, work and enjoy x

Resources - A well run Council that delivers for People and Place.

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report recommends that the Director of Environment:

- Notes the procurement process conducted through the Council's approved consultancy framework Matrix; and
- Approves the award of a contract to MP Smarter Travel Limited (Company number 12937092) at the cost of £0.076m using the DEFRA Air Quality Grant fund to deliver agreed projects to Havering Schools – six walking buses, five cycling buses, eleven Breathe Clean workshops and walking maps and eleven anti-idling workshops.

AUTHORITY UNDER WHICH DECISION IS MADE

Scheme of Delegations

Functions Delegated to Officers

3.3.3 Powers common to all Strategic Directors

4. Contracts

4.2 To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3.

Non-key Executive Decision

STATEMENT OF THE REASONS FOR THE DECISION

Background

1. In July 2022, the Department for Environment, Food and Rural Affairs (DEFRA) published a new funding opportunity available to all Local Authorities in England. Funding was made available through a competitive bidding process to help with local authorities' efforts in improving air quality, in order to meet their statutory duties under the Environmental Act 1995 as amended by the Environment Act 2021.
2. Funding was specifically made available to help local authorities work towards government targets for fine particulate matter, which presents the greatest risks to public health. In addition, funding was made available for boroughs to deliver initiatives that help with communicating effectively about air quality, particularly to vulnerable groups.
3. The aforementioned DEFRA funding needs to have been spent in either the 2023/24 or 2024/25 financial years (or across both) with funding having to be spent and projects delivered by March 2025.

Policy Context

4. At national level the government's Clean Air Strategy recognises that transport, "...has a key role to play in reducing emissions and meeting the government's objectives on the environment and public health". Promoting cycling and walking helps reduce emissions and encourages an active lifestyle.
5. At a regional level, the Mayor's Transport Strategy sets out the Mayor's vision and objectives for developing the transport network across London up to 2041. This includes a London wide target of 80% of Londoners to be walking, cycling and using public transport by 2041. The Mayor's Transport Strategy also includes targets for reducing particulate matter (PM) and nitrogen oxides (NOx).
6. Havering's Local Implementation Plan (LIP) sets out how the borough will deliver the Mayor's Transport Strategy at a local level. This includes Havering specific targets to improve air quality, encourage alternative options to travel other than the car and a target for 65% of residents to be walking, cycling or using public transport by 2041.
7. The Council adopted an Air Quality Plan in 2018. More recently, Havering updated its adopted Climate Change Action Plan setting out how the Council will become a carbon neutral authority by 2040 or sooner.

Funding Award

8. Following a funding application process, the Council was awarded £100,266 funding from DEFRA. This funding was allocated for a number of initiatives including:
 - Delivery of walking and cycling busses for schools
 - School Breath Clean Workshops
 - Walking zone maps
 - Anti-Idling workshops
 - Air Quality Theatre in Education
9. The funds are to be spent in their entirety on the projects described in the project plan contained in Havering's funding application. The Council has the discretion to distribute

Non-key Executive Decision

the funding received to the projects contained within the project plan. Funding can also be “lifted and shifted” between projects during the financial year. Any changes to those projects would require prior agreement from the Air Quality and Industrial Emissions teams at DEFRA.

10. The funding award was accepted through a Non Key Executive Decision signed by the Director of Neighbourhoods (now referred to as Place Environment) in March 2023.

Delivery Timescales

11. The awarded funding has to be spent, and associated projects delivered by March 2025.

Procurement Process

12. A number of projects require an external resource in order to be delivered by the end of March 2025. A request was submitted to the Council's Recruitment Panel to seek approval to undertake a procurement process to deliver air quality projects on the Council's behalf.
13. Officers undertook a mini tender competition through the online procurement platform Matrix MM, inviting four reputable companies to submit tenders for the project. Out of the four companies invited to bid, only one tender was received.
14. Officers undertook a full evaluation of the tender using the Council's corporate evaluation process with a 70% Price and 30% Quality ratio.
15. Officers completed the procurement exercise to appoint a capable consultant to deliver the projects set out in the funding award. This involved undertaking a Tender Evaluation of the scores for Quality and Price on Matrix MM.
16. The successful supplier is MP Smarter Travel, a company with twelve years of school engagement projects regarding transport, active travel, road safety, air quality, school travel plans, healthy route creation, theatre in schools, breathe clean assemblies and idling action events. MP Smarter Travel's experience includes Idling Action London, Brent Breathe Clean, Towers Hamlets School Travel Plan support, Westminster Air Quality Monitoring, Camden School Superzone.
17. The Council have worked with MP Smarter Travel in the past on a number of projects including Ant-Idling workshops, the development and delivery Walking Maps and Travel Surveys.

Next Steps

18. Subject to this Non-Key Executive Decision being signed by the Director of Environment MP Smarter Travel will be appointed via the Matrix MM framework.

OTHER OPTIONS CONSIDERED AND REJECTED

19. The option of not appointing MP Smarter Travel has been rejected at this would mean the Council would be unable to deliver the Air Quality improvement projects as agreed with the grant provider. The Council also has air quality reduction targets it needs to work towards which are contained within the Council's approved Local Implementation Plan (LIP3).

Non-key Executive Decision

--

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

Name: Daniel Douglas

Designation: Team Leader Transport Planning



Signature:

Date: 13th June 2024

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

20. The Environmental Act 1995 (the Act) requires local authorities to undertake periodic assessments and reviews of current and future air quality in their borough, and to produce an Air Quality Action Plan once an Air Quality Management Area has been declared within a Local Authority's boundaries. The recommendation within this report seeks to meet the objectives within the Council's Air Quality Action Plan.
21. The value of the proposed award is estimated to be £76,000 which is below the threshold for services the Public Contracts Regulations 2015 (PCR) (as amended) and was therefore not subject to the full rigours of the Regulations.
22. The procurement process followed is set out in the body of this report. In accordance with Contract Procedure Rule 17.5, Officers sourced the proposed consultant via the approved consultant framework (currently Matrix Managed Marketplace portal).

FINANCIAL IMPLICATIONS AND RISKS

23. The total cost of this appointment (£0.076m) will be funded via the Department of Environment and Rural Affairs (DEFRA) grant.
24. The projects must be delivered by March 2025 in order to make full use of the grant.
25. The grant will be used solely for the projects described in the project plan contained in Havering's funding application. Any changes to those projects would require prior agreement from the Air Quality and Industrial Emissions teams at DEFRA.
26. Budget and contract monitoring will be regularly carried out by officers throughout delivery to ensure the project is completed within the approved grant Project Expectations.

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

27. The recommendations made in this report do not appear to give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

Non-key Executive Decision

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

28. 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.

29. 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.

30. An EqHIA (Equality and Health Impact Assessment) is usually carried out when a proposed or planned activity is likely to affect staff, service users, or other residents.

31. The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

32. There are no equalities and social inclusion implications and risks associated with this decision that would stop this proceeding.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

33. Delivery of the Air Quality Projects set out in this Executive Decision supports the Council's policies contained within the Air Quality Action Plan and Climate Change Action Plan.

BACKGROUND PAPERS

None

APPENDICES

Not Applicable

Non-key Executive Decision

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

Delete as applicable

~~Proposal NOT agreed because~~

Details of decision maker

Signed



Name: Imran Kazalbash – Director of Environment

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date: 13th June 2024

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 _____

Non-key Executive Decision