

Decision cover page

Report Title: Variation of the existing Cycle Confident Contract

Date of Decision: February 2024

Report Author: Lucy Challis, Active Travel and Health Officer

Senior Leadership Team (and date report agreed): Rob Krzyszowski Agreed 11 Jan 2024

Council Leadership Team Lead (and date report agreed): David Joyce, Agreed @ P&H Board 11 Jan 2024

Report Title	Variation of the existing Cycle Confident Contract awarded to Cycle Confident Limited
*Legal Comments Provided by:	Sevtap Kaya
*Financial Comments Provided by:	Sheela Thakrar
*Equalities Comments Reviewed by:	N/A
*Procurement Comments Provided by:	Peter Capp
In the Background - This section of the report includes outlining consultation with partners/stakeholders, service users, residents more generally, business, other public bodies, interest groups, government, staff or statutory consultees. Please indicate if this has happened and who has been consulted. Also include how consideration has been given to the Haringey Deal and to hearing the voices that are too often overlooked	Y
Number of Appendices included –please check the report writing guidance on the template and consider can these be included as background documents if they do not refer to in the recommendations or need to be referred to agree the proposals.	N/A
*Background documents listed that are available for public inspection or web links exists? [These are the documents that have been relied upon to a material extent in the preparation of the report. Any background papers that are listed must be retained and accessible for public inspection for a period of 6 years. It is the responsibility of the report author to ensure this is done.]	Y
Date considered by Cabinet Member Please note that if your report impacts or relates to two or more Cabinet portfolios, you will need to also arrange a further briefing meeting with the Cabinet members before submission of the report to Informal CAB.	21/12/23 - Cllr Hakata briefing

<p>Dates considered by Officer Internal Boards [This can include internal Cabinet and Officer Groups]</p>	<p>Thu 11 Jan 2024 – P&H Board</p>
<p>Date considered by Council Leadership Team Politically sensitive strategic key decisions would need to be considered by. Please contact Ben Hunt on x1164 if you have any queries about which meeting your report should be considered at. Meetings take place on a Thursday morning</p>	<p>N/A</p>
<p>Date considered by informal CAB [Politically sensitive strategic key decisions would need consideration at CAB – Please contact Felicity Foley with any queries about Informal CAB.]</p>	<p>N/A</p>
<p>Please consider if a wider briefing on this key decision is required at Labour Group / Liberal Democrat Group meetings? When?</p>	<p>N/A</p>
<p>Is the decision compliant with the Council’s Budget and Policy Framework as set out in Part Four Section E of the Constitution?</p>	<p>Yes</p>

Report for: Cllr. Hakata, Lead Member for Placemaking and Housing

Item number: N/A

Title: Variation of the Cycle Training Contract awarded to Cycle Confident Limited

Report authorised by: David Joyce, Director of Placemaking and Housing

Lead Officer: Lucy Challis – Active Travel and Health Officer
Joe Baker – Head of Carbon Management

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** Non Key

1. Describe the issue under consideration.

The Council's current cycle training contract is due to expire on 6th February 2024. However, due to increased demand and associated costs for cycle training, the cost of which is covered by increased funding from TfL ring fenced for this service, the current provider (Cycle Confident) has exhausted its expected funding envelope.

The original contract threshold was set at £0.450m (2018-2021) however to address funding and deliverability this contract was extended in the COVID period by an extra £0.160m and 3 years ending in February 2024. This funding was expected to cover until the end of the contract extension. However, the budget limit has now been reached. Therefore, to cover this new spend and deliver the works within the contract period. The Council needs to increase the approved budget for Cycle Confident by £0.065m to cover this service provision until the end of February 2024.

This report seeks approval for the variation to the Cycle Training Contract to Cycle Confident Limited (the current provider) to increase the contract value by £0.065m to cover the rest of the contract fulfilment.

2. Cabinet Member Introduction

N/A

3. Recommendations

For the Cabinet Member for Cllr Hakata to approve the modification of the contract by additional funds of £0.065m to cover the remaining costs of the Cycle Confident Contract. Making the contract total £0.675m with no additional time.

4. Reasons for decision

This additional funding is required to pay the contractor (Cycle Confident) for the works they plan to, and have delivered with the community, up until the end of their contract.

5. **Alternative options considered**

To not pay them

Cycle Confident have delivered the training to our community in advance of payments to ensure that cycle training has been delivered to our schools, and community groups. Transport for London (TfL) has ring fenced funding for cycle training within the Local Implementation Plan (LIP) and the Council has received this funding. Therefore, not paying for works undertaken or immediately planned has been rejected.

6. **Background information**

In March 2018, Cycle Confident Limited was chosen from a shortlist of 5 companies to provide cycle training for those who live, work and study in Haringey. The contract was initially for three years (2018-2021) and was valued at £0.450m. This funding was allocated from the LIP and covered school cycle training, one to one cycle training and Dr Bike maintenance sessions.

Over the length of this contract, funding has varied for cycle training alongside demand. And specifically, the Council had to manage the impact of COVID on this service and the inability for the Council to go to the market during this time. As such a contract extension was put in place to give suppliers and users confidence. This was for an increased value of £0.160m and covered the period 2021 to February 2024. However, in the last two years there has been a significant uptake in demand and funding from TfL. As such the expected contract value of £0.610m (of both the original award and extension) was reached earlier than was planned.

Cycle Confident though have continued to liaise, book, and deliver cycling services directly with the schools and community. This has meant that they have delivered some work outside of funding agreements. This award will cover the costs of this work and future works before the end of the contract.

7. **Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes’?**

The Cycle Training Contract falls within the Corporate Delivery Plan under the theme of “Responding to the Climate Emergency” and specifically the action of “Improved access to alternative means of transport to private motor vehicle” which includes metrics/measurables “Number of cycle training sessions delivered” and an outcome of “Community focused cycle training provision”.

8. **Carbon and Climate Change**

The current cycling contract delivers education and advice to our community on cycling safety and confidence. Active Travel is a key requirement if we are to deliver the borough climate goals.

Increasing cycling means less air pollution including carbon is put out to our atmosphere with the hope it replaces private vehicles as the number one mode of transport. Cycling helps increase our physical health and wellbeing and reduce road congestion encouraging more outside use and less time sitting in traffic polluting our communities.

9. Statutory Officers comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)

Finance

This report is for the Cabinet Member for Cllr Hakata to approve the recommendations as set out in para 3 of this report. The additional contract extensions costs £0.065m are fully funded from LIP grant funding from TFL and therefore will have no financial implications for the Council.

Strategic Procurement

Strategic Procurement were consulted in the preparation of this report.

CSO 10.02.1b) permits the Cabinet where the contract value is £500,000 or more to authorise a variation to a contract subject to the provisions of PCR 2015, Reg.72. Reg. 72 (1) (c) permits the modification where the circumstance could not have been foreseen, the modification does not alter the nature of the contract and the increase does not exceed 50% of the value of the original contract.

Contract Standing Order (CSO) 16.02 permits decisions ordinarily taken at a Cabinet meeting to be allocated by the Leader to the Cabinet Member having the relevant portfolio responsibility.

Strategic Procurement support the recommendations in section 3 of this report

Head of Legal & Governance Sevtap Kaya – Lawyer Legal Officer

The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of this report.

Strategic Procurement have set out the relevant sections of PCR 2015 concerning circumstances where modifications to the monetary value of a contract is permissible under the regulations. The Head of Legal and Governance (Monitoring Officer) notes that the proposed variation complies with the PCR rules.

CSO 10.02.1.b allows the Cabinet to approve an extension or a variation of a contract valued £500,000 or more.

CSO 16.02 permits decisions that are ordinarily taken at a Cabinet meeting to be allocated by the Leader to a Cabinet Member having the relevant portfolio responsibilities.

The Head of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing Cllr. Hakata, Lead Member for Placemaking and Housing from approving the recommendations in this report.

Equality

The Council has a public sector equality duty under the Equality Act (2010) to have due regard to:

- Tackle discrimination, harassment and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who share those characteristics and people who do not.

Our current Cycling Training contract has softer measures designed to get more people, including children cycling, and make Haringey a more cycling friendly borough.

Increasing cycling will help improve air quality, increase physical activity and reduce road congestion. Issues such as poor air quality tend to affect older people and children more. In addition to this, the worst air quality tends to be in the east of the borough, which has a younger and more diverse community. By increasing cycling, this will be promoting equality of opportunity by reducing health inequalities on these groups.

10. Use of Appendices

N/A

11. Background papers

Variation and Extension of the Cycle Training Contract awarded to Cycle Confident Limited
Delegated Decision - Request to award the cycle training contract to Cycle Confident