

Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Councillor R G Davies, Executive Councillor for Highways, Transport and IT
Date:	Between 29 – 31 March 2022
Subject:	Bikeability (Cycling Proficiency) Procurement
Decision Reference:	I025911
Key decision?	Yes

Summary:

Bikeability is the modern day equivalent of Cycling Proficiency and is delivered to more than 200 schools in Lincolnshire, and more than 4,500 pupils.

Since 2017 the delivery of Bikeability in Lincolnshire has been delivered by Outspoken Training. The current contract is expiring and we are seeking approval to reprocure for a new contract.

The delivery of Bikeability is cost neutral for Lincolnshire County Council (LCC). All costs are met by a per-head grant issued by the Department for Transport.

Recommendation(s):

That the Executive Councillor for Highways, Transport and IT approves the reprocurement of the Bikeability service for Lincolnshire.

Alternatives Considered:

1.	To cease the service
2.	To bring the service in-house

Reasons for Recommendation:

Bikeability is a popular and well attended course for our primary schools. The courses provide valuable safety awareness training to support children in the attainment of the appropriate skills and confidence in riding a bike. In turn this enables them to attain the

physical and mental wellbeing benefits of physical activity and outdoor recreation.

The course is fully funded by the Department for Transport so places no pressure on existing LCC budgets.

Although bringing the service back under LCC control is possible, it is not desirable. The service was delivered in-house until 2017 when budgetary pressures made the continuation of the project under LCC control unviable. An external provider is able to provide the economy of scale (and expertise) needed to make the project a success.

The current provider has delivered a successful Bikeability scheme within budget. We believe reprocurring the service is the best way of continuing a successful scheme in Lincolnshire.

1. Background

Bikeability is the modern equivalent of Cycling Proficiency and has been delivered in Lincolnshire for 10 years. The training consists of three levels.

Level 1 focuses on basic bike handling skills and is largely used as a half day assessment to determine a trainee's capacity for riding unaided and in traffic.

Level 2 training takes place on suburban roads in real traffic. Trainees learn about road positioning, effective turning, and hazard management. The course is progressive and will move to more challenging environments during the training.

Level 3 is the final level and involves all roads it is legal to cycle upon. This means dealing with more advanced road layouts such as traffic lights, roundabouts, and filtering.

The main Bikeability delivery consists of Level 1 and 2 training combined over four days. This is what most Lincolnshire schools and pupils will understand 'Bikeability' to mean. Level 1 and 2 training is delivered to children in school years 5 and 6 and is open to all schools in Lincolnshire. Some limited Level 3 training is available to children in year 7 and above but has been historically difficult to deliver due to secondary school timetabling issues.

In addition, some Bikeability 'Plus' training takes place in the form of Balance Bike training for children in Reception and year 1. Learn To Ride training aimed at children in years 3 and 4 is also available. It should be noted that Bikeability is not aimed at children who cannot ride a bike.

Until 2017, Bikeability was delivered in-house by a panel of casual/relief Bikeability instructors in partnership with School Games Host Organiser Schools. A decision was made in early 2017 to tender for an external provider to deliver all Bikeability training in Lincolnshire. The successful bidder, Outspoken Training, has run the contract since

September 2017 – the beginning of that academic year – on a three year plus two additional year contract. The final additional year expires on 31 March 2022.

An initial extension period of the contract for the current operator is proposed to last until 31 August 2022 and will be considered through an exception decision. This would enable the service to continue seamlessly for the remainder of the academic year causing zero disruption to schools. A full calendar for the academic year has already been developed by Outspoken.

We are then proposing for a new contract to be awarded by tender for the delivery of Bikeability in Lincolnshire.

Lincolnshire currently receives a grant from the Department for Transport (DfT) in relation to all expenditure in relation to Bikeability. No funding is sought from Lincolnshire County Council revenue streams.

The total value of the contract is variable as other local authorities may not use their full allocation and the DfT will reallocate that funding to others. Lincolnshire is currently funded to 4,437 Level 1 and 2 combined places for trainees, 350 Level 3 places, and a variable amount of Bikeability Plus places.

We advise that the total value for the new contract should be £1.5million as a minimum to enable any provider to manage additional funding that may come in over the full contract duration of five years. The Department for Transport has indicated that Bikeability funding will be made available ‘for every child’. This would reflect an increase on the current 4,437 allocation of funding.

Funding is currently allocated on a £45 per head level for Level 1 and 2 and Level 3 training. Bikeability Plus is roughly half this amount but is a much shorter course duration.

Performance

Over the current contract period the current provider, Outspoken Training, has met and exceeded the Key Performance Indicators (KPIs) laid out in the original contract. Feedback from schools and pupils has been very positive and regularly exceeding 9/10. There has been no issue in the delivery of the Level 1 and 2 places; in fact Outspoken has levied a small charge on all schools taking part in Bikeability in order to accommodate additional Level 1 and 2 places, unfunded by the DfT around the county. Rather than 4,437 places delivered, a total of approximately 5,500 have been delivered instead, enabling more schools to participate and bringing the provider closer to meeting the total demand.

The only slight mark down has been an inability to deliver all Level 3 places allocated by the DfT. Level 3 is a nationally difficult package to deliver and the inability to meet the 350 target is not due to lack of effort by Outspoken; this has included offering Level 3 training to year 6 pupils undertaking Level 1 and 2 training at the end of the summer term. Outspoken has succeeded in delivering far more Level 3 places than LCC delivered during in-house management.

Covid-19 has not proved a barrier to delivery due to the outdoor nature of the training. Outspoken is to be commended that no course has been cancelled at a school due to lack of staff availability due to positive cases.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding.

Compliance with the duties in section 149 may involve treating some persons more favourably than others.

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material

with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

An Equality Impact Assessment has been carried out (Appendix A). No positive or negative impacts have been identified. The only criteria in delivering the scheme is that a child must be able to ride a bicycle or a bicycle that has been adapted to suit individual disability needs.

The scheme can be delivered to both state and independent schools as well as special schools and to groups of home-schooled children.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health and Wellbeing Strategy (JHWS) in coming to a decision.

It is considered that by providing children with appropriate skills and abilities in bicycle riding at an early age, the scheme promotes the benefits that physical activity and outdoor recreation can bring to both physical and mental wellbeing and in particular for children and young people.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

The section 17 matters have been considered and there are not considered to be any implications arising out of this decision.

3. Conclusion

Bikeability is a valued service that schools expect to be provided. It has been delivered successfully by the current operator and we believe that reprocurring will be the best route to ensuring the continuation of the service in the County.

4. Legal Comments:

The Council has the power to conduct the procurement and enter into the contract proposed.

The decision is consistent with the Policy Framework and within the remit of the Executive Councillor.

5. Resource Comments:

As noted in the report, the cost of the proposed contract is funded by Department for Transport grant income within the Council's approved revenue budget. It is expected that this grant will be maintained at its current value for the duration of the contract, however, should that not be the case, the contract will provide for activities to be scaled accordingly.

6. Consultation

a) Has Local Member Been Consulted?

Not Applicable

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The decision will be considered by the Overview and Scrutiny Management Board on 24 March 2022 and the comments of the Board will be reported to the Executive Councillor for Highways, Transport and IT.

d) Risks and Impact Analysis

Risk and analysis will be carried out shortly and before the tendering process begins, should the decision be taken to reprocure.

7. Appendices

These are listed below and attached at the back of the report

Appendix A	Equality Impact Assessment
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8. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Chris Miller, who can be contacted on 07919 320573 or chris.miller@lincolnshire.gov.uk.