

# Decision Pathway – Report



**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 05 February 2019

<b>TITLE</b>	<b>Bus Service 11/11A Tender</b>	
<b>Ward(s)</b>	<b>Avonmouth and Lawrence Weston, Westbury on Trym and Henleaze, Horfield, Southmead, Lockleaze</b>	
<b>Author:</b>	<b>Nicola Phillips</b>	<b>Job title: Quality and Contracts Team Leader</b>
<b>Cabinet lead:</b>	<b>Cllr Kye Dudd</b>	<b>Executive Director lead: Colin Molton</b>
<b>Proposal origin:</b> <i>BCC Staff</i>		
<b>Decision maker:</b> Mayor <b>Decision forum:</b> <i>Cabinet</i>		
<b>Purpose of Report:</b> Permission to undertake the procurement of a new bus service 11/11A contract.		
<b>Evidence Base:</b>		
<ol style="list-style-type: none"> <li>1. The majority of bus Services in Bristol are provided on a commercial basis by private bus companies. Bristol City Council provides support to a number of bus services in the city that supplement the commercial network with services that it considers to be socially necessary. These are fully supported services where the council pays for the full operation of the service; or partially supported services where the Council pays for certain journeys or extensions to the route. We refer to these services as supported services. The Council currently has 11 supported bus services.</li> <li>2. Many of the supported services are orbital in nature or create links between communities that are not connected by arterial routes. As above, these routes are deemed as being socially necessary and without Council support, they would not otherwise be provided. The Council is given powers to procure socially necessary services under the Transport Act 1985 (and as amended).</li> <li>3. Service 11/11A is a Council supported bus service operating between Avonmouth and Southmead Hospital every half hour during the day and hourly evenings. A plan of the route is included in appendix A.</li> <li>4. The corridor was previously served by a Council supported service and then commercial service 18. Unfortunately this service proved not to be commercially viable and First bus withdrew the service from August 2017. The Council in conjunction with South Gloucestershire Council ran an emergency tender in 2017 to ensure that there was no loss of service.</li> <li>5. Due to the punctuality and reliability issues faced on the service the Council's made a joint decision to split the service, with both routes operating to/from Southmead Hospital so that passengers could continue on their journeys.</li> <li>6. The current service is under contract until 31<sup>st</sup> August 2019 and we would like to start the procurement process to award a new contract to ensure the continuation of the service from 1<sup>st</sup> September 2019.</li> <li>7. We would like to commission the service to run from 1<sup>st</sup> September 2019 until 3<sup>rd</sup> September 2022 with the option to extend for 3 years. This would ensure that the contract dates tie in with all the Council's supported bus services which end on 3<sup>rd</sup> September 2022, as per advice from Procurement.</li> <li>8. Along the 11/11A corridor there is no alternative commercial provision available to residents and the service links a number of deprived areas with major employment and Southmead Hospital.</li> <li>9. Due to the loss of the South Gloucestershire service 10 between Southmead Hospital and Emersons Green since September 2018, we would like to look at the possibility of extending the service 11/11A to Parkway Station, this will provide a service for staff and visitors to the Hospital and the ability for passengers to make onward journeys.</li> <li>10. The contract will include a termination clause within the terms and conditions. This termination clause will</li> </ol>		

- give us the flexibility to amend the supported network to meet the aspirations of the WECA bus strategy.
11. When we carry out the commissioning we would like to tender a number of options for the service so that we can ensure the best value for the Council whilst providing the passengers with a service.
  12. The commissioning process will contain an option not to award.
  13. We will discuss any proposed changes to the service and tender with the NHS and South Gloucestershire Council.
  14. To ensure continuation of service commissioning of a new tender needs to start in February 2019, any delays to this will result in the loss of service provision.

**Cabinet Member / Officer Recommendations:**

1. To approve the procurement of a new bus service 11/11A contract, to start on 1<sup>st</sup> September 2019.
2. Delegate authority to the Executive Director for Growth and Regeneration to procure and thereafter award the contract in consultation with the Mayor.

**Corporate Strategy alignment:**

Well Connected – Improve physical and geographical connectivity; Reduce social and economic isolation and help connect people to people, people to jobs and people to opportunity.

Wellbeing – Keep Bristol a leading cultural city, helping make culture, sport and play accessible to all.

**City Benefits:**

The provision of supported bus services creates links for communities to allow them to access healthcare, education & employment centres and also to interchange with other public transport services including rail.

**Consultation Details:**

Consultation with current passengers, ward members and SGC.

<b>Revenue Cost</b>	<b>£510,000</b>	<b>Source of Revenue Funding</b>	<b>10902</b>
<b>Capital Cost</b>	<b>£N/A</b>	<b>Source of Capital Funding</b>	<b>N/A</b>
<b>One off cost</b> <input type="checkbox"/>	<b>Ongoing cost</b> <input checked="" type="checkbox"/>	<b>Saving Proposal</b> <input type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:** The total budget for all the council subsidised bus services is £1.5m. BCC provides a subsidised bus service for residents and visitors to the Avonmouth & Southmead area of Bristol at a cost of £142k (c10% of the current budget) and is seeking to tender for this as per the factors stated above. While the contract covers the net cost of the service, the Transportation team will explore options to recover a higher proportion its costs via providing various options as part of the tender process.

**Finance Business Partner:** Kayode Olagundoye, 27.11.2018.

**2. Legal Advice:** The Council’s Procurement Rules and the Public Contracts Regulations 2015 must be followed in relation to the procurement process for the new contract. Legal services will advise and assist officers with regard to the conduct of the procurement process and the resulting contractual arrangements.

The report confirms that consultation is taking place in relation to the decision to be taken. The responses to the consultation must be taken into account by Cabinet when taking the decision. Cabinet should also be satisfied that proper consultation has taken place in that (i) proposals were consulted on are at a formative stage (ii) sufficient reasons have been given for the proposals and (iii) adequate time has been allowed for consideration and response. The demands of fairness are higher when the consultation relates to a decision which is likely to deprive someone of an existing benefit .

The Public Sector Equality duty requires the decision maker to consider the need to promote equality for persons with “protected characteristics” and to have due regard to the need to i) eliminate discrimination, harassment, and victimisation; ii) advance equality of opportunity; and iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it.

The Equalities Impact Check/Assessment is designed to assess whether there are any barriers in place that may prevent people with a protected characteristic using a service or benefiting from a policy. The decision maker must take into consideration the information in the check/assessment before taking the decision.

A decision can be made where there is a negative impact if it is clear that it is necessary, it is not possible to reduce or remove the negative impact by looking at alternatives and the means by which the aim of the decision is being implemented is both necessary and appropriate

**Legal Team Leader:** Husinara Jones, Team Leader, 23 November 2018

**3. Implications on IT:** There are no identifiable IT implications in this initiative

**IT Team Leader:** Ian Gale 21/11/2018

**4. HR Advice:** No HR implications.

**HR Partner:** James Brereton (People & Culture Manager), 28<sup>th</sup> November 2018

<b>EDM Sign-off</b>	Colin Molton	28 <sup>th</sup> November 2018
<b>Cabinet Member sign-off</b>	Mayor	4 <sup>th</sup> December 2018
<b>CLB Sign-off</b>	Mike Jackson	11 <sup>th</sup> December 2018
<b>For Key Decisions - Mayor's Office sign-off</b>	Fiona Gilmour	10 <sup>th</sup> January 2019

<b>Appendix A – Further essential background / detail on the proposal</b> Route Map	<b>YES</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>NO</b>
<b>Appendix D – Risk assessment</b>	<b>NO</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>YES</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>YES</b>
<b>Appendix G – Financial Advice</b>	<b>NO</b>
<b>Appendix H – Legal Advice</b>	<b>NO</b>
<b>Appendix I – Combined Background papers</b>	<b>NO</b>
<b>Appendix J – Exempt Information</b>	<b>NO</b>
<b>Appendix K – HR advice</b>	<b>NO</b>
<b>Appendix L – ICT</b>	<b>NO</b>