

Record of officer decision

Decision title:	National Bus Strategy Requirements – technical consultancy procurement
Date of decision:	21 April 2021
Decision maker:	Head of Transportation and Access
Authority for delegated decision:	This is an operational decision with regard to Part 3 Section 7 para 3.7.5 of the constitution. Chief executives scheme of delegation Appendix 1 SA50 Highways and Transportation Financial Procedures Rule 4.6.9 – heads of service (as defined by head of service pay grades) may authorise commencement of a procurement activity or commencement of a contract variation activity for total aggregate contract value up to £250,000
Ward:	Countywide
Consultation:	<p>Interim Deputy Solicitor Economy and Place – had no objections to the decision subject to the tender documentation confirming that any extension would be at the council's absolute discretion. This wording has been incorporated into tender documentation.</p> <p>The Finance Manager confirmed that they are content that the decision can be taken having confirmed that the contract would only be extended if additional government funding is secured and that the potential for additional funds is clearly stated in government communications.</p> <p>The Commercial Services Team has advised on the approach to procurement outlined in this report and will support the procurement process following this decision.</p>
Decision made:	<p>To procure technical consultancy services to a maximum value of £100k with via open market tendering to support the development of:</p> <ul style="list-style-type: none"> • Bus service improvement plan • Enhanced Partnership with transport providers • Bus scheme feasibility assessment <p>In accordance with the National Bus Strategy and utilizing funding from the Department for Transport's local capacity fund.</p> <p>To include an optional extension to a maximum value of £50k to provide ongoing support to assist with the roll out of the Enhanced Partnership up to the end of the financial year 2022/23. This option would be at the absolute discretion of the council and would only be triggered in the event that the council secures additional capacity funding support from government and incumbent consultant has demonstrated a high level of performance in relation to the core commission.</p>
Reasons for decision:	1. Government published Bus Back Better: National Bus Strategy for England 15 March 2021. This set out requirements for English local transport authorities to develop Bus Service Improvement plans and progress

	<p>establishment of Enhanced Partnerships with local transport providers to be able to access future funding to support local bus services and secure existing funding support (Bus Service Operators Grant).</p> <ol style="list-style-type: none"> 2. Government made available a flat grant (capacity fund) of £100k for local authorities if they wished to secure funds to support the requirements set out at 1. 3. The grant had to be claimed by 16 April 2021. The council has claimed and secured this grant. 4. Whilst the council is not compelled to progress the proposals set out in the National Bus Strategy it is considered essential that current government funding (BSOG) is retained and the opportunity to bid for additional funds protected. 5. The approach set out in the National Bus Strategy is consistent with the council's aspirations for improving bus use as indicated during the recent Hereford Transport Strategy Review. Cabinet determined to progress a package assessed in the review which would seek to increase patronage, encourage school journeys by bus, progress uptake of electric buses and also consider demand responsive transport. These are all aspects highlighted within the National Bus Strategy. Hence, progressing with this procurement will assist the council in progressing its transport ambitions. 6. The optional extension, if required and triggers met would provide ongoing support which it is anticipated may be required to help establish the operation of the Enhanced Partnership in the first year it is introduced.
<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>The government has set out a challenging timetable for complying with the provisions set out in the National Bus Strategy. This includes:</p> <ul style="list-style-type: none"> • Publish a statement of intent to progress an Enhanced Partnership by end of June 2021 • Publish a Bus Service Improvement Plan by end of October 2021 • Have an Enhanced Partnership in place from April 2022 <p>Officers do not have the capacity to meet these timescales and hence the provision of the £100k grant from the DfT is helpful in providing resource to fund the technical consultancy support required to meet the provisions of the National Strategy. Government has indicated that additional funding support (to the £100k already received) may be provided dependent on progress made by the local authority and this could be utilised to fund the optional extension to the commission. There will be no commitment on the council to implement the optional extension and the ITT and any subsequent contract award will confirm that any extension would be at the council's absolute discretion.</p> <p>A Funding Request was submitted to and approved by the chief finance officer and core management board 6 April 2021 to draw down the grant from DfT with the intention that it be used to be fund the required consultancy support to progress this work.</p>

	<p>In line with the contract procedure rules for a high value commission (£75k - £189.3k) an open tendering approach will be followed, advertised using the council's Invitation to Tender Template via the council's e-tendering portal. Discussions have been held with the Commercial Services Team to inform development of the ITT and secure support required through the tendering process.</p> <p>A further decision will be taken and recorded in order to confirm the award of a contract for the commission in line with the council's contract procedure rules.</p>
Details of any alternative options considered and rejected:	<p>Not to progress with a bus service improvement plan and enhanced partnership. This was rejected as it could result in the council losing existing government support for buses (BSOG) and would threaten its ability to secure additional funds.</p> <p>Not to procure technical consultancy support to assist with this work. This was rejected as the council does not have sufficient in house capacity to progress the work required to produce a bus service improvement plan/enhanced partnership in the timescales prescribed by government.</p>
Details of any declarations of interest made:	None

Signed...Head of Transport and Access 21 April 2021