



Officer Decision Record

1. Subject and details of the matter (to include reasons for the decision)

The Government has launched a new, long-term National Bus Strategy for England, outside London. Backed by more than £3 billion, the strategy will deliver cheaper, more frequent and more reliable bus services for passengers. The Government view buses as the unsung heroes of local transport and it is also viewed by the Government that rail steals much of the media limelight with over 50% of public transport journeys in the UK taking place by bus. Ensuring reliable, passenger-focussed system will therefore be crucial if the Government is to achieve ambitions of levelling up all communities after coronavirus. The Government advises the pandemic has had a significant impact on buses, as with all transport. It gives urgency to the strategy, but also an opportunity. Dealing with this emergency, the Government has seen how local authorities have fostered an even greater co-operation with local bus operators and have both remained committed throughout the pandemic to delivering essential public bus services. The spirit of co-operation is something the Government believes should be built on as we recover from the pandemic, as reliable bus services in North East Lincolnshire will be central to supporting the reopening of society, as communities start to return to their town and city centres for work and leisure. The Government advises we have a unique chance to change the way in which local bus services are planned and delivered, to bring significant long-term improvements for passengers. The Government would like to draw your attention to the below key elements of the strategy which will be of interest to ENGIE and North East Lincolnshire Council.

Establishment of formal partnership or franchising arrangements for buses across all local authority areas outside London

The Government wants every local transport authority (LTA) of which North East Lincolnshire Council is an LTA and bus operator in England to be in a statutory Enhanced Partnership or a franchising arrangement, using existing powers in the Bus Services Act 2017. These arrangements bring together the important skillsets and contributions of both parties, critical to a strong bus network. The Government expects to see a commitment to developing an Enhanced Partnership by the end of June 2021. LTAs will need to work with bus operators on targets for improving passenger numbers, reliability and passenger satisfaction in order to be eligible for future Government funding, including any further COVID-19 funding, any of the initial funding

we have in 2021/22 for bus improvement, or later tranches of the transformational £3 billion funding announced last February by the Prime Minister.

Delivering tangible improvements that will make buses easier, cheaper and more convenient to use

While developing Enhanced Partnerships or franchising arrangements, the Government will be asking LTA's to produce new robust and ambitious Bus Service Improvement Plans by the end of October 2021. The Government expects the plans to set out a roadmap to better services for communities, urban and rural, and be fully informed by local needs. It will be for local areas to determine what is needed in their areas to drive up bus use. However, the Government expects LTAs and operators, working together, to provide:

- * Cheaper single bus fares, with daily price caps, so people can use the bus as many times a day as they need without mounting costs.
- * More integrated services and ticketing across all transport modes in an area, so people can easily move from bus to train.
- * Easy to access information, including online, so that services are easier to use.
- * Contactless payments on all buses.
- * Easier access for disabled people onboard buses.

Additional Information

It is expected the National Bus Strategy and Bus Service Improvement Plans will positively contribute towards the following:

- NELC Carbon Reduction Strategy
- NELC Local Transport Plan (Strategy)
- NELC Climate Emergency
- Improved Air Quality
- Reduced Congestion

Supporting local authorities with the tools and capacity required

The Government has awarded North East Lincolnshire Council a £100k flat payment to assist, towards progressing an Enhanced Partnership and Bus Service Improvement Plan. The available delivery options are set out in section 6.

What will be delivered?

It is expected the £100k flat payment will deliver the following:

- Enhanced Bus Quality Partnership
- Bus Service Improvement Plan
- Additional added value items e.g. review of future bus station options, bus priority feasibility studies, review of Grimsby Town Centre transport strategy, a business case to consider local bus service improvements e.g. Kickstart routes, frequency improvements, evening and weekend service improvements etc

2. Is it a Key Decision as defined in the Constitution?

No.

3. Details of Decision

To appoint a suitably qualified consultant to deliver the North East Lincolnshire Enhanced Partnership and Bus Service Improvement Plan.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No

5. Anticipated outcome(s)

NELC appoint the Most Economically Advantageous Supplier consultant via the SAM Framework (option 1).

6. Details of any alternative options considered and rejected by the officer when making the decision

Option 1 – SAM Framework - The recommended option is to procure a consultant via the SAM framework and make a tender award to deliver the Enhanced Partnership and Bus Service Improvement Plan. The majority of local transport authorities are expected to use external consultants and it is expected local authorities which do not act quickly enough will find external consultants do not have the capacity to deliver the Enhanced Partnership and Bus Service Improvement Plans. The Council as a member of the SAM Framework can procure consultants to deliver this piece of work by using "Lot 8 Consultancy". One of the key services provided to its Members by SAM, is the process of identifying the Most Economically Advantageous Supplier for a Member who wishes to call-off from the Framework.

Option 2 – NELC conduct a tender exercise via Yortender – Due to the SAM framework being able to provide a solution which meets the Council's requirements and demonstrates value for money, this option is not recommended.

Option 3 – NELC/ ENGIE recruit additional staff – It is not envisaged the local labour market will be able to provide the expertise to deliver an Enhanced Partnership and Bus Service Improvement Plan. Also, it is not envisaged the Council or ENGIE will be able to complete a recruitment process and deliver the Enhanced Partnership and Bus Service Improvement Plan within the DfT timescales. It is recommended as the Enhanced Partnership and Bus Service Improvement Plans are delivered, ENGIE and the Council review any future additional workload (e.g. ongoing requirements to deliver

the Enhanced Partnership and 6 monthly reporting requirements) and the impact upon existing resources. This option is not recommended.

7. Background documents considered

<https://www.gov.uk/government/publications/bus-back-better>

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No.

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

N/A

10. Monitoring Officer Comments (Monitoring Officer or Deputy Monitoring Officer)

Operational matter within the bounds of permitted exceptions in terms of quantum and use of a recognised framework. A framework approach has the benefits of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions. Further, the Council may achieve better terms by combining its volume with the other public bodies also taking part.

There are further advantages of assurance in that any such framework by necessity must be compliant with Public Contracts Regulations 2015. A framework approach is considered good practice and comes with its own efficiencies.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The costs of the proposed consultant arrangement is to be funded through external grant.

12. Human Resource Comments (Strategic Workforce Lead or nominee)

There are no HR implications associated with the recommended option

13. Risk Assessment (in accordance with the Report Writing Guide)

Finance – The local authority has been awarded a grant payment of £100k to deliver the Enhanced Partnership and Bus Service Improvement Plan. A tender award will only be made on the basis the Most Economically Advantageous Supplier is within the available budget envelope.

Capacity – If the local authority goes out to tender via Yortender, this creates the risk of the Council being unable to appoint a consultant. It is expected the majority of local transport authorities will use consultants to deliver this work and if the Council does not act swiftly, then it is expected demand will exceed the available supply. The solution offered by the SAM framework ensures a suitably qualified consultant is appointed, prior to the majority of local authorities attempting to procure external consultancy.

Engagement – The solution offered by the SAM framework ensures that Council Members will be engaged at an early stage. This will ensure the Council Members have input into the available options which will form part of the local Bus Service Improvement Plans. The Government also requires local community groups to be involved in the creation of Bus Service Improvement Plans and the external Consultant will need to meet this essential requirement.

Reputational Risks - There are reputational risks of the local authority and partners not meeting expectations and requirements of the bus service improvement plans. For example, if the local authority and the bus company agrees to improve a specific bus route and the route improvement is not commercially viable at the end of the funding period it is envisaged the improvement will need to be funded by the Council, funded by Stagecoach East Midlands commercially, externally funded (e.g. Lincolnshire LEP etc) or withdrawn. When developing the Bus Service Improvement Plans, long term financial sustainability of potential measures will be a key consideration.

Equality - It is not expected the Enhanced Partnership or Bus Service Improvement Plans will create any equality risks.

Governance – It is expected the Council's Cabinet will be required to approve the Enhanced Partnership and the Bus Service Improvement Plan prior to April 2022.

14. Decision Maker(s):

Name: Mark Nearney

Title: Assistant Director Assistant
Director of Housing, Highways and
Planning

Signed: via email

Dated: 4th May 2021

**15. Consultation carried out with
Portfolio Holder(s):**

Name: Councillor Stewart Swinburn

Title: Portfolio Holder for Environment
and Transport

Signed: via email

Dated: 30th April 2021

**16. If the decision is urgent then
consultation should be carried out
with the relevant Scrutiny
Chair/Mayor/Deputy Mayor**

Name: N/A

Title: N/A

Signed: N/A

Dated: N/A

APPENDIX 1 – copy of email approval

From: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>
Sent: 04 May 2021 10:38
To: Jonathan Ford (Engie) <Jonathan.Ford@nelincs.gov.uk>
Subject: RE: National Bus Strategy - Officer Decision Record

approved

Mark Nearney, Assistant Director of Housing, Highways and Planning
North East Lincolnshire Council
Municipal Offices , Town Hall Square, Grimsby, DN31 1HU
Tel: 01472 324122 Mobile: 07826 344556
Email: Mark.Nearney@nelincs.gov.uk /www.nelincs.gov.uk

Stay alert. Control the virus. Save lives.

From: Jonathan Ford (Engie) <Jonathan.Ford@nelincs.gov.uk>
Sent: 04 May 2021 08:05
To: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>
Subject: FW: National Bus Strategy - Officer Decision Record

Hi Mark,

On 21 April 2021 you gave approval to submit the attached ODR for monitoring comments. We received the ODR back from Democratic Services and I asked if it was okay to send the ODR to Cllr Swinburn for review while you were on annual leave.

Cllr Swinburn has approved the attached ODR. Please can you review the ODR, send me your final approval and then I will email the approvals to Democratic Services?

Kind Regards,

Jonathan Ford CMILT
Senior Transport Officer
Highways and Transport
Places & Communities North – NEL
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From: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>
Sent: 30 April 2021 17:53
To: Martin Lear (Engie) <Martin.Lear@nelincs.gov.uk>
Cc: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>; Jonathan Ford (Engie) <Jonathan.Ford@nelincs.gov.uk>; Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>
Subject: RE: National Bus Strategy - Officer Decision Record

Thanks Martin,

This has my approval.

Cllr Swinburn

From: Martin Lear (Engie) <Martin.Lear@nelincs.gov.uk>
Sent: 30 April 2021 16:03
To: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>
Cc: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>; Jonathan Ford (Engie) <Jonathan.Ford@nelincs.gov.uk>; Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>
Subject: National Bus Strategy - Officer Decision Record

Dear Cllr Swinburn,

Please find attached an Officer Decision Record (ODR) in relation to the National Bus Strategy. The ODR seeks approval to appoint a suitably qualified consultant to assist delivery of the North East Lincolnshire Enhanced Partnership and Bus Service Improvement Plan using the procurement framework (SAM Framework). The option presented within the attached ODR will also provide the Council with the capacity to consider future bus station options.

It is recommended the local authority uses consultants to deliver this work as there is a tight timescale and limited officer capacity. The use of consultants is compliant with the Department for Transport grant.

Regards,

Martin Lear
Deputy Head of Highways and Transport
Places & Communities North – NEL

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