

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO CABINET

15 DECEMBER 2020

REPORT OF THE CORPORATE DIRECTOR - EDUCATION AND FAMILY SUPPORT

CONTRACT FOR THE SUPPLY OF HOME-TO-COLLEGE TRANSPORT – SUSPENSION OF THE CONTRACT PROCEDURE RULES

1. Purpose of report

1.1 The purpose of this report is:

- to suspend those parts of the Council's contract procedure rules in respect of the procurement requirements relating to the tendering of the contract for the supply of home-to-college transport; and
- to authorise the Corporate Director Education and Family Support to enter into a contract with the current contractors, First Cymru Buses Ltd, on the same terms as the current contract from the day following the current contract's expiry date (8 January 2021) to 25 June 2021 (the end of the college academic year).

2. Connection to corporate well-being objectives/other corporate priorities

2.1 This report assists in the achievement of the following corporate well-being objective under the Well-being of Future Generations (Wales) Act 2015:

- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

3.1 Following a procurement process in 2018, the Council awarded a contract for the supply of home-to-college transport to First Cymru Buses Ltd. That contract is due to expire on 7 January 2021.

4. Current situation/proposal

4.1 Following the report to Cabinet in September 2020, on the outcome of the public consultation on the proposed changes to the Council's Home-to-School/College Transport Policy, Cabinet determined that Education and Family Support Directorate officers, together with transportation officers, continue dialogue with private sector transport providers, Bridgend College and other post-16 providers, in order to make a saving, but more significantly to create a budget which will provide students with a 'travel pass'. This would be more flexible than traditional home-to-college transport and would be a more 'adult' solution for young people. Cabinet envisaged that this

would help to create a new generation of public transport users, and would be a better fit for the Council's recently adopted strategy for post-16 education and sixth forms. Also envisaged is a more conventional transport 'safety net' for a small number of students without reasonable access to public transport routes.

- 4.2 In order for the identified engagement to progress with all prospective suppliers and stakeholders, and for a range of options to be proposed for consideration by Cabinet on the future arrangements for a post-16 travel pass, it is proposed that the Council should suspend the contract procedure rules and enter into a contract with First Cymru Buses Ltd on the same terms as the current contract from 8 January 2021 until 25 June 2021 (ie the end of the current academic year). This is necessary as work to progress the development of a travel pass and an assessment of the development required by the Council to bring this forward to fruition will likely not be completed until the end of April 2021 at the earliest. Furthermore, in August 2020 Welsh Government announced that its ongoing review of learner travel is scheduled to report at the end of March 2021 and given that the main focus of the review is in respect of post-16 learners, it is important that the Council considers the outcome of that review prior to determining the future arrangements for its student travel pass.
- 4.3 Under the Council's contract procedure rules, the Council is required to tender and advertise contracts such as this one on 'Sell2Wales' as a minimum. The Council, in entering into a contract in this manner, will be unable to comply with those requirements.
- 4.4 Cabinet should be aware, that by not complying with its contract procedure rules the Council is exposed to the risk of potential challenge from other suppliers of such products, as we are entering into a contract without any competition which breaches the requirements of procurement legislation.

5. Effect upon policy framework and procedure rules

- 5.1 This report has no effect on the policy framework and procedural rules.

6. Equality impact assessment

- 6.1 An equality impact assessment initial screening has been completed and it is considered that there will be no negative impacts from this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The Well-being of Future Generations (Wales) Act 2015 assessment has been completed. A summary of the implications from the assessment relating to the five ways of working is as follows:

Long-term

The Council is supporting the sustainability of public bus services and ensuring that local transport operators are able to continue their investment in the provision of and its associated infrastructure, for the medium term.

Prevention

The Council assesses the suitability of transport operators to deliver home-to-college transport services.

Integration

Transport providers have a strategic role in providing a service to ensure that all eligible students are supported in accessing their place of education. This ultimately means that students can learn and achieve so that they can access opportunities for further learning and employment, and can play active roles in their communities, contributing positively to society as a whole.

Collaboration

Transport providers have a strategic role in supporting pupil's access to school. Transport providers need to ensure the health and wellbeing of students. The Council, in conjunction with Bridgend College and transport providers, is ensuring that services are in place to meet the needs of all students.

Involvement

The Council engages with transport providers and Bridgend College on a regular basis.

8. Financial implications

- 8.1 The estimated value of the contract from 8 January 2021 to 25 June 2021 is £140k for the provision of home-to-college transport with First Cymru Buses Ltd. The cost will be met from within current budgets.

9. Recommendations

- 9.1 It is recommended that Cabinet:
- suspends the relevant parts of the Council's contract procedure rules in respect of the requirements relating to the procurement of the contract for the supply of home-to-college transport; and
 - delegates authority to the Corporate Director Education and Family Support in consultation with the Interim Chief Officer – Finance, Performance and Change and Section 151 Officer and Chief Officer - Legal, HR and Regulatory Services, to enter into a contract for the supply of home-to-college transport with First Cymru Buses Ltd from 8 January 2021 until 25 June 2021.

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December 2020

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Background papers:

None