

# Notice of Meeting

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## Delegated Officer Decisions

Thursday 6 October 2016

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Stephen Chard on 01635 519462  
e-mail: [stephen.chard@westberks.gov.uk](mailto:stephen.chard@westberks.gov.uk)

Further information and Minutes are also available on the Council's website at [www.westberks.gov.uk](http://www.westberks.gov.uk)



To: All Councillors

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# Agenda

## Part I

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Andy Day  
Head of Strategic Support

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format or translation, please contact Moira Fraser on telephone (01635) 519045.



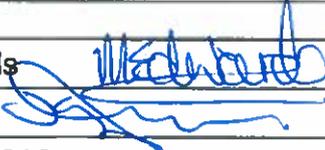
## Delegated Officer's Decision

<b>Reference</b>	<b>Service Grouping</b>
	Environment

<b>Subject:</b>	Local Bus Service Contract 2016-2021
<b>Decision taken:</b>	To award contract to Reading Buses.
<b>Reason for decision taken:</b>	To meet savings target.
<b>Other options considered:</b>	None
<b>Decision taken by:</b>	Mark Edwards and Councillor Jeanette Clifford
<b>Scheme of Delegation Ref:</b>	11.4.4.
<b>Job Title:</b>	Head of Highways and Transport
<b>Those consulted:</b>	Peter Walker, Shiraz Sheikh, Mike Sullivan, John Ashworth
<b>Background papers:</b>	Reports to Procurement Board (23.8.16) and Corporate Board (13.9.16) and emailed to Operations Board Members on 29 September 2016.

I confirm that I have fully advised and have taken account of all the relevant facts in making this decision.

<b>Date Decision Made</b>	<b>Date Decision will be Implemented (5 clear days)</b>
6 October 2016	14 October 2016

<b>Officer:</b>	Mark Edwards 
<b>Witnessed by:</b>	
<b>Date:</b>	06 October 2016

This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on 10 October, then it will be implemented.

*If you have any queries regarding this decision, please contact:*

*Name: Mark Edwards  
 Job Title: Head of Highways and Transport  
 Tel: 2208  
 Email: mark.edwards@westberks.gov.uk*

*Jeanette Clifford.*  
*6.10.2016*

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# Award of Local Bus Network Tender

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<b>Committee considering report:</b>	Delegated Officer Decision – 6 October 2016
<b>Portfolio Member:</b>	Councillor Jeanette Clifford
<b>Date Portfolio Member agreed report:</b>	23 August 2016
<b>Report Author:</b>	Matthew Metcalfe
<b>Forward Plan Ref:</b>	DOD3200

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## 1. Purpose of the Report

- 1.1 To inform of the results of the recently tendered local bus network of services and the intention to award the contract for the operation of these services using delegated powers.

## 2. Recommendation

- 2.1 To award Local Bus Contract WBC127 to Reading Transport for a period of 5 years (plus a further 3 years subject to performance) so that the retendered local bus services can commence operation on Monday 5 September 2016.

## 3. Implications

- 3.1 **Financial:** The retendering of certain bus services into a single network of services has delivered savings to the Council as required by the phase one and two savings consultations held earlier this year.
- 3.2 **Policy:** The new local bus services are an essential element of the Council's Transport Policy.
- 3.3 **Personnel:** The retendering of the bus services was managed by Matthew Metcalfe with assistance from Peter Walker, Transport Services Manager, Mike Sullivan, Contracts and Procurement Officer and Shiraz Sheikh, Principal Solicitor.
- 3.4 **Legal:** The Council has a legal responsibility to ensure the provision of socially necessary transport services.
- 3.5 **Risk Management:** If the retendered bus services do not commence operation on Monday 5 September, then many communities will not have bus services in place that they require for a multiple of purposes such as getting to work or school, for hospital appointments and shopping trips.
- 3.6 **Property:** N/A
- 3.7 **Other:**

## 4. Other options considered

- 4.1 No other options have been considered.

## 5. Executive Summary

- 5.1 In order to deliver savings to the public transport budget, a retendering of certain local bus services was carried out through the Official Journal of the European Union. This exercise will result in substantial savings to the Council. Following approval by Procurement Board on 23 August 2016, Corporate Board are now being advised that the contract for the operation of these services will be awarded to Reading Transport so that they can commence operation of the bus services on the 5 September 2016. The bus services that these replace end on Saturday 3 September.
- 5.2 It should be noted that this contract is being awarded in two stages. The first award has been made using delegated powers and covers the initial 6 week period from 5 September to 14 October 2016. The second award, which is the subject of this report, will be awarded under delegated powers in accordance with the revised constitution agreed at Council on 15 September 2016.
- 5.3 This 'for information' item will also be presented to the next Operations Board

## 6. Conclusion

- 6.1 It is imperative that the contract for the retendered network of local bus services is now awarded. This will ensure that these services commence operation on 5 September and that there is continuity of the provision of bus services for the communities served.

## 7. Appendices

- 7.1 Appendix A - Supporting Information
- 7.2 Appendix B – Equalities Impact Assessment

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# Award of Local Bus Network Tender – Supporting Information

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## 1. Introduction/Background

- 1.1 The Council's Phase One and Phase Two Savings Consultations held earlier this year required a reduction of £780,000 in public transport expenditure. This will be achieved through a variety of measures including ending some bus services, taking on the operation of some services in-house, and changes to the Council's Concessionary Fares Scheme.
- 1.2 The Transport Services Team has terminated seven contracts it held with local operator, Newbury and District, for operation of the following services: Service 2: Newbury to Wash Common; Service 3; Newbury to Hungerford; Service 4: Newbury to Lambourn; Service 6: Newbury to Compton; Service 8: Newbury to Greenham; Services 101, 104 & 105: Newbury – North Thatcham - Thatcham Broadway and then various villages to Tilehurst Triangle; and Service 102: Newbury – South Thatcham - Thatcham Broadway. The last day of operation of all these services, which are delivered by nine full bus workings is 3 September 2016.
- 1.3 The Council retendered for operation of services 2, 3, 4, 6 and 8 using a competitive procedure with negotiation in accordance with The Public Contracts Regulations 2015. This is the first time that a Council service has used this method of procurement.
- 1.4 By interworking the buses used on these services and adjusting (in some cases reducing) the timetables, the number of vehicles required to deliver these services was reduced from 5 to 4. Furthermore, in the tender that was issued in the Official Journal of the European Union (OJEU), operators were separately requested to quote for the operation of the current 101, 104 & 105 services between Newbury and Thatcham (the Council will operate the extensions to various villages in-house) and the 102 service. These were deemed to be requiring a reduced level of subsidy in comparison to the other services tendered due to the higher number of passengers travelling on these services.
- 1.5 The winning bid for the tender was submitted by Reading Transport. They provided the lowest cost to operate services 2, 3, 4, 6 & 8, and, contingent upon being awarded the contract for these services, would operate the Newbury to Thatcham services commercially, that is to say without subsidy from the Council.
- 1.6 The tendering exercise reduced the number of full bus workings the Council currently pays in full for from nine to four.
- 1.7 The proposed contract is for a period of 5 years with a further 3 years extension subject to satisfactory performance.

## 2. Supporting Information

- 2.1 Substantial savings have been achieved by the retendering of these services.
- 2.2 The current contract price of the 2, 3, 4, 6 and 8 services is £761,601 per annum. The new contract price for these services will be £606,900. We will continue to receive back all the fares revenue and pay no concessionary fares reimbursements for passengers carried with the National Off-Peak Bus Pass. Estimated savings from this group of services is therefore £154,701
- 2.3 The current contract price for the 101,104 & 105 services is £435,364. The section of route between Newbury and Thatcham Broadway will be operated commercially, so without any contract cost to the Council. However, the Council will have to make concessionary fares reimbursements to Reading Buses and these are estimated at circa £30,000 per annum. The Council will operate the service, albeit on a much reduced timetable which includes no Saturday service, from Thatcham Broadway to the various villages, such as Brimpton, Cold Ash and Bradfield. Estimated annual cost of this in-house service is £100,000. Taking all this into consideration, the annual savings from these services is around £305,360
- 2.4 The current contract price of the 102 service is £137,484 per annum. We receive back fares revenue of circa £88,650 making our net cost of this contract £48,834. We will pay no contract price for the new service, but will have to make concessionary fares reimbursements to the new commercial service. These are estimated at £35,000 per annum. Estimated savings from this service is £13,834
- 2.5 We currently pay approximately £87,600 per annum using Bus Services Operators Grant (BSOG) for the 2, 3, 4, 6, 8, 101, 102, 104 & 105 local bus services. BSOG is a government funded rebate that bus operators are due on their fuel costs. We receive a grant from the Department for Transport (DfT) to pay operators BSOG on our contracted services. We will not be paying BSOG on the contracted services (as specified in the tender documents) and we do not pay BSOG on commercial services. This £87,600 can therefore be retained by the Council and will contribute towards our public transport savings package. The Council will continue to receive the same grant for BSOG from the DfT.
- 2.6 These proposals were considered and approved by Procurement Board on 23 August 2016.

## 3. Options for Consideration

- 3.1 No other options were considered. The Council has achieved considerable savings from the local bus network retender. It is imperative the contract is now awarded to Reading Buses so that the new services can start on 5 September 2016.

## 4. Proposals

- 4.1 To award the contract to Reading Buses for the operation of the 2, 3, 4, 6 and 8 services under powers delegated to the Head of Highways and Transport and Portfolio Holder for Highways and Transport. Upon receiving this, Reading Buses will operate the current contracted services between Newbury and Thatcham Broadway commercially as set out in this report.

## 5. Conclusion

- 5.1 The award of this contract (in two stages) will allow the commencement of the new local bus services on Monday 5 September 2016. The current contracted services will end on Saturday 3 September. The retendering of these local bus services has delivered the savings detailed above, making a considerable contribution to the Council's savings plan.

## 6. Consultation and Engagement

- 6.1 The following Council Officers were consulted and contributed significantly to the contents of this report: Mark Edwards, Head of Highways and Transport; Peter Walker, Transport Services Manager; Mike Sullivan, Contracts and Procurement Officer and Shiraz Sheikh, Principal Solicitor.

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### Background Papers:

Local Bus Network Tender WBC127.

OJEU Tender Reference 173417/2016

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### Wards affected:

Every ward in the District is served by the bus services in this report except for Basildon, Birch Copse, Burghfield, Mortimer, Pangbourne, Purley on Thames and Westwood.

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### Strategic Aims and Priorities Supported:

The proposals will help achieve the following Council Strategy aims:

- SLE – A stronger local economy**
- P&S – Protect and support those who need it**
- HQL – Maintain a high quality of life within our communities**

The proposals contained in this report will help to achieve the following Council Strategy priorities:

- BEC1 – Improve educational attainment**
- HQL1 – Support communities to do more to help themselves**

The proposals contained in this report will help to achieve the above Council Strategy aims and priorities by ensuring the provision of socially necessary bus services to the residents of the District.

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### Officer details:

Name: Matthew Metcalfe  
Job Title: Senior Transport Services Officer  
Tel No: 01635 519663  
E-mail Address: matthew.metcalfe@westberks.gov.uk

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## Appendix B

### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity.

Please complete the following questions to determine whether a Stage Two, Equality Impact Assessment is required.

<b>Name of policy, strategy or function:</b>	The Provision of Socially Necessary Local Bus Services
<b>Version and release date of item (if applicable):</b>	
<b>Owner of item being assessed:</b>	Matthew Metcalfe
<b>Name of assessor:</b>	
<b>Date of assessment:</b>	

Is this a:		Is this:	
<b>Policy</b>	<b>No</b>	<b>New or proposed</b>	<b>No</b>
<b>Strategy</b>	<b>Yes</b>	<b>Already exists and is being reviewed</b>	<b>Yes</b>
<b>Function</b>	<b>Yes</b>	<b>Is changing</b>	<b>Yes</b>
<b>Service</b>	<b>Yes</b>		

1. What are the main aims, objectives and intended outcomes of the policy, strategy function or service and who is likely to benefit from it?	
<b>Aims:</b>	To ensure the provision of socially necessary local bus services in West Berkshire.
<b>Objectives:</b>	The Council will fulfil the requirements of the 1985 Transport Act to ensure the provision of socially necessary transport services in the district.
<b>Outcomes:</b>	<p>The operation of the following local bus services from 05 September 2016:</p> <ul style="list-style-type: none"> <li>• 2: Newbury to Wash Common</li> <li>• 3: Newbury to Hungerford</li> <li>• 4: Newbury to Lambourn</li> <li>• 6: Newbury to Compton</li> <li>• 8: Newbury to Greenham</li> <li>• 101: Newbury – North Thatcham – Thatcham Broadway</li> <li>• 102: Newbury – South Thatcham – Thatcham</li> </ul>

	Broadway.  These services all replace similar services that end on 03 September.
<b>Benefits:</b>	These bus services provide socially necessary transport that people need to get to work, education, medical appointments etc. Without these bus services in place we would expect more car use. Those without access to cars would in all probability experience difficulties in accessing services that tend to be in the towns.

<p><b>2. Note which groups may be affected by the policy, strategy, function or service. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</b></p> <p>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.)</p>		
<b>Group Affected</b>	<b>What might be the effect?</b>	<b>Information to support this</b>
The elderly	They will be able to use their National Off Peak Bus Passes on local bus services to access vital services.	The elderly are a prime user group of local bus services in West Berkshire.
The disabled	They will continue to have access to our network of local bus services.	The buses used on our tendered services are fully Disabled Discrimination Act compliant. This means that, for example, they are wheelchair accessible.
Pupils	They will continue to have bus services to their place of education.	These bus services carry many pupils /students to their place of education in the district.
Non Car users	They will continue to have the provision of socially necessary bus services.	Recent surveys have shown that many travelling on our contracted local bus services are non car owners or do not have access to a car.
<b>Further Comments relating to the item:</b>		

<b>3. Result</b>	
<b>Are there any aspects of the policy, strategy, function or service,</b>	<b>No</b>

<b>including how it is delivered or accessed, that could contribute to inequality?</b>	
The local bus services in question are available to all in the community who are able to access them (those not able to access them may avail themselves to the accessible transport services provided by the volunteer sector or Readibus.	
<b>Will the policy, strategy, function or service have an adverse impact upon the lives of people, including employees and service users?</b>	<b>No</b>
The local bus services in question are available to all in the community who are able to access them (those not able to access them may avail themselves to the accessible transport services provided by the volunteer sector or Readibus.	

**If your answers to question 2 have identified potential adverse impacts and you have answered ‘yes’ to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage 2 Equality Impact Assessment.**

**If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the Equality Impact Assessment guidance and Stage Two template.**

<b>4. Identify next steps as appropriate:</b>	
<b>Stage Two required</b>	No
<b>Owner of Stage Two assessment:</b>	
<b>Timescale for Stage Two assessment:</b>	
<b>Stage Two not required:</b>	

**Name: Matthew Metcalfe**

**Date: 18/08/2016**

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**Please now forward this completed form to Rachel Craggs, the Principal Policy Officer (Equality and Diversity) for publication on the WBC website.**