

ANGUS COUNCIL

COMMUNITIES COMMITTEE – 22 NOVEMBER 2022

LOCAL BUS SERVICE PROVISION CONTRACTS EXTENSION AND RETENDER

DIRECTOR OF INFRASTRUCTURE AND ENVIRONMENT

ABSTRACT

This report seeks authority for the Director of Infrastructure and Environment to award 8 local bus service contracts upon the conclusion, and best value analysis, of a tender process. Furthermore, the report details the decision of the Director of Infrastructure and Environment to extend 10 local bus service contracts to May 2024.

1. RECOMMENDATIONS

It is recommended that the Committee:

- (i) notes the decision of the Director of Infrastructure and Environment to extend contracts A569, A578, A587, A589, A598, A600, A601, A612, A613 and A614 to May 2024.
- (ii) notes the decision of the Director of Infrastructure and Environment to undertake a tender for the replacement local bus service contracts, A508, A533, A537, A542, A543, A546, A597 and A602.
- (iii) authorise the Director of Infrastructure, in consultation with the Director of Legal and Democratic Services, to award the replacement local bus service contracts, A508, A533, A537, A542, A543, A546, A597 and A602 upon the conclusion of a tender and best value analysis exercise.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcomes and vision contained within the Community Plan 2017-2030:

- Angus is a great place to live, work and visit
- Our communities are safe, secure, vibrant and sustainable
- Our carbon footprint is reduced
- We have an inclusive and sustainable economy

3. BACKGROUND

- 3.1 Local bus service contracts are awarded with an initial contract length of 3 years, with the ability for the contracts to be extended into years 4 and 5, should both the Council and operator agree to the extension.
- 3.2 Local bus service contract A597 and A602 will reach the end of their 4th year in May 2023, however by retendering at this point, the contract will be brought into line with the cycle of the other local bus service tenders in the Arbroath area. Tendering areas together in this way can provide more competitive prices and provide a more integrated service for passengers.
- 3.3 Contracts A508, A533, A537, A542, A543 and A546 will reach the end of their 5th year in May 2023 and therefore they are required to be retendered at this point.

- 3.4 Contracts A612, A613 and A614 will reach the end of their 3rd year in May 2023 and the decision has been taken by the Director of Infrastructure and Environment to extend the contracts for a 4th year, to May 2024.
- 3.5 Contracts A569, A578, A587, A589, A598, A600 and A601 will reach the end of their 4th year in May 2023 and the decision has been taken by the Director of Infrastructure and Environment to extend the contracts for a 5th year, to May 2024.
- 3.6 The extension of the contracts noted in 3.4 and 3.5 will preserve continuity of service for the passengers, particularly during a period when the impact of Covid19 has caused instability within public transport networks. Extending also secures best value for the council during a period of rising fuel costs and offers a degree of financial protection to operators, which is welcomed during this difficult period for the bus industry in Scotland.

4. CURRENT POSITION

- 4.1 Detailed service information, including service numbers, route descriptions and timetables are available for each contract to be tendered or extended in the appendices attached to this report. All services are considered lifeline services for the communities they serve.
- 4.2 Local bus contract A569 and A578 connects the rural areas of Ballumbie Castle Estate, Kellas, Wellbank, Newbigging and Monikie to Monifieth, Broughty Ferry and onwards to Dundee City Centre and Ninewells Hospital. The services provide access to healthcare, local amenities, employment, and education sites Monday-Sunday and there are no alternative public transport options available to these communities.
- 4.3 Local bus contract A587 connects the rural areas of Newtyle, Eassie, Balkeerie Douglstown, Charleston and Glamis to Forfar. It further provides Forfar with part of its town service, connecting large areas of Forfar with each other. The services provide access to healthcare, local amenities, employment, and education sites, as well as connections to other travel options, including travel to Dundee, Monday-Saturday. There are no alternative public transport options available to these communities.
- 4.4 Local bus contract A589 connects the rural areas to the north and east of Kirriemuir to the town. The services provide access to healthcare, local amenities, employment, and education sites, as well as connections to other travel options, Monday-Saturday. There are no alternative public transport options available to these communities
- 4.5 Local bus contract A598 provides Montrose with a town service on a Saturday and importantly is the only connection to Links Health Centre. The service also provide access to, local amenities, and employment sites, as well as connections to other travel options, such as the railway station.
- 4.6 Local bus contracts A600 and A601 provide connections from Montrose–Brechin-Stracathro Hospital. The services provide access to healthcare, local amenities, employment, and education sites, as well as connections to other travel options, Monday-Sunday. Importantly, the service connects Montrose and Brechin with each other and offers both staff and patients good public transport links to Stracathro Hospital.
- 4.7 Local bus contract A612 provides the only connection between Forfar and Brechin, alternating between the A90 and B9134. It also services Brechin Castle, Edzell and Stracathro Hospital. The services provide access to healthcare, local amenities, employment, and education sites, as well as connections to other travel options, Monday-Sunday. There is no other direct connection between Forfar and Brechin.
- 4.8 Local bus contract A613 provides the Forfar town service connecting most of the town throughout the day Monday-Saturday. The services provide access to healthcare, local amenities, employment, and education sites, as well as connections to other travel options, including Arbroath, Brechin and Dundee.

- 4.9 Local bus contract A614 provides the Brechin town service connecting most of the town throughout the day Monday-Saturday. The services provide access to healthcare, local amenities, employment, and education sites, as well as connections to other travel options, including Stracathro Hospital, Montrose, Forfar, Arbroath and Dundee.
- 4.10 Local bus contract A508 provides a connection between Arbroath and Brechin and covers rural communities such as Auchmithie (where there are no alternatives) and Friockheim. The service also connects to Brechin Castle Centre and Stracathro Hospital. The services provide access to healthcare, local amenities, employment, and education sites, as well as connections to other travel options, including Arbroath bus and railway stations, Monday-Sunday.
- 4.11 Local bus contact A533 provides evening journeys between Arbroath and Forfar, Monday-Sunday, and there are no alternative options available to passengers in rural areas. Passengers in Forfar and Arbroath would have to travel via Dundee to reach the other town. A533 also provides some evening journeys as part of the Forfar town service, although these will be removed as this element of the contract is now provided by a different service.
- 4.12 Local bus contract A537 provides early morning journeys to connect Kirriemuir, Forfar and Arbroath, Monday – Friday. These journeys are key to providing access to employment sites, as well as Dundee and Angus College, particularly for rural areas who have no alternative options available.
- 4.13 Local bus contracts A542 and A543 provide evening journeys, Monday-Saturday and a Sunday service, as part of the Arbroath town service. The services provide access to healthcare, local amenities, employment, and education sites, as well as connections to other travel options from Arbroath’s bus and railway stations, and are also important for cross town journeys within Arbroath.
- 4.14 Local bus contract A546 connects rural areas such as Guthrie, Carmyllie, Leysmill and Redford to Arbroath, Monday-Saturday, and offers passengers additional services within Arbroath. Rural areas have no alternative services and these services provide connections to the bus and railway stations. Importantly a connection to Arbroath Infirmary will be created by a newly designed route and create a more integrated network for passengers.
- 4.15 Local bus contracts A597 and A602 provides a town service for Arbroath Monday-Saturday. No alternatives are available, and it offers connections to healthcare, local amenities, employment, and education sites, as well as connections to other travel options, including Arbroath Bus Station.

5. PROPOSALS

- 5.1 A tender exercise will be initiated with each contract being advertised on Public Contracts Scotland and published by mid December 2022.
- 5.2 The tender will not be condensed and will be open for bids for at least the minimum 6 weeks required. Analysis of the bids will take place in early 2023 to ensure new contracts can be in place for the expiry of the current incumbents during May 2023.
- 5.3 The procurement of the required local bus services is via a single stage ‘open’ procedure. The first stage will be an assessment based on the European Single Procurement Document (ESPD) which addresses:
- Pass/fail assessment against minimum requirements that the operator must hold a PSV Operator Licence issued by the Traffic Commissioner; and
 - Pass/fail assessment against minimum requirements that the operator must have or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated in the relevant Contract Notice.
- 5.4 Bids satisfying these criteria will be evaluated on the basis of the most economically advantageous tender (MEAT), whilst having regard to the following criteria which are weighted according to importance. Price is to be given a weighting of 90%, with the other quality criteria listed below given a total weighting of 10%. Once the tenders are evaluated, as noted below, then an acceptance will be issued to the tenderer providing the highest MEAT score within each Lot.

Quality Criterion

- Maximisation of Passenger Benefit – 5%: Tenderers to indicate additional quality provision in respect of the vehicles to be used over and above the minimum requirements of the contract through the provision of CCTV.
- Environmental Management – 3%: Tenderers to identify what steps they intend to take over the life of the contract to reduce fuel use, lower carbon emissions and reduce pollution
- Fair Work Practices – 2%: Tenderers to indicate how they commit to fair work practices for workers engaged in the delivery of the contract.

Price Criterion

- The weighted price of 90% will be evaluated on the basis of the lowest total price received in each Lot.

5.5 The Committee are asked to note the decision taken by the Director of Infrastructure and Environment to extend contracts A569, A578, A587, A589, A598, A600, A601, A612, A613 and A614 to May 2024.

5.6 The Committee are asked to provide authority for the Director of Infrastructure and Environment to initiate a tender for the replacement local bus service contracts, A508, A533, A537, A542, A543, A546, A597 and A602 as outlined above.

5.7 The Committee are asked to authorise the Director of Infrastructure and Environment, in consultation with the Director of Legal and Democratic Services, to award the replacement local bus service contracts, A508, A533, A537, A542, A543, A546, A597 and A602 upon the conclusion of the tender and best value analysis exercise.

6. EQUALITY IMPACT ASSESSMENT

6.1 An Equality Impact Assessment has been carried out and is attached to this report

7. FINANCIAL IMPLICATIONS

The costs for these contracts will be contained within the Infrastructure Services Tendered Services revenue budget for 2023/24 and future years.

It is considered the combined costs of all 10 newly tendered contracts will be circa £450k per financial year and be affordable within the above noted budget.

Similarly, the contract extensions secure the same contract rate and therefore are already accounted for within the noted budget.

NOTE: No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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List of Appendices: Appendix 1 – Details of Local Bus Service Provision for Contracts to be Tendered
 Appendix 2 – Details of Local Bus Service Provision for Contracts to be Extended



Equality Impact/Fairer Scotland Duty Assessment Form

Step 1

Name of Proposal (includes e. g. budget savings, committee reports, strategies, policies, procedures, service reviews, functions): **LOCAL BUS SERVICE PROVISION CONTRACTS EXTENSION AND RETENDER**

Step 2

Is this only a **screening** Equality Impact Assessment ~~Yes~~/No
(A) If Yes, please choose from the following options **all** reasons why a full EIA/FSD is not required:

- | | |
|---|--------|
| (i) It does not impact on people | Yes/No |
| (ii) It is for information only | Yes/No |
| (iii) It is reflective e.g. of budget spend over a financial year | Yes/No |
| (iv) It is technical | Yes/No |

If you have answered yes to any of points above, please go to **Step 16**, and sign off the Assessment.

(B) If you have answered No to the above, please indicate the following:

Is this a full Equality Impact Assessment	Yes/No
Is this a Fairer Scotland Duty Assessment	Yes /No

If you have answered Yes to either or both of the above, continue with Step 3.
If your proposal is a **strategy** please ensure you complete Step 13 which is the Fairer Scotland Duty Assessment.

Step 3

(i) Lead Directorate/Service: **Infrastructure & Environment, Roads & Transportation**

(ii) Are there any **relevant** statutory requirements affecting this proposal? If so, please describe.

No.

(iii)What is the aim of the proposal? Please give full details.

- **To extend local bus contracts into future years and maintain the current level of service**
- **To tender for replacement local bus contracts due to current contracts reaching the end of their lifespan**

(iv)Is it a new proposal? **Yes/No** Please indicate **OR**

Is it a review of e.g. an existing budget saving, report, strategy, policy, service review, procedure or function? **Yes/No** Please indicate

Step 4: Which people does your proposal involve or have consequences for?

Please indicate all which apply:

Employees **Yes/No**

Job Applicants **Yes/No**

Service users **Yes/No**

Members of the public **Yes/No**

Step 5: List the evidence/data/research that has been used in this assessment (links to data sources, information etc which you may find useful are in the Guidance). This could include:

Internal data (e.g. customer satisfaction surveys; equality monitoring data; customer complaints).

Passenger data is analysed from on bus ticket machines to monitor the usage of each service and determine its value to communities.

On vehicle surveys are carried out to engage with passengers and gather feedback relating to the local bus service.

A public consultation was carried out from 14 July – 14 August 2021. This consultation provided clear indication that there is a desire for transport services, including fixed line routes.

Internal consultation (e.g. with staff, trade unions and any other services affected).

Not applicable.

External data (e.g. Census, equality reports, equality evidence finder, performance reports, research, available statistics)

Not applicable.

External consultation (e.g. partner organisations, national organisations, community groups, other councils).

A public consultation was carried out from 14 July – 14 August 2021. This consultation provided clear indication that there is a desire for transport services, including fixed line routes.

Other (general information as appropriate).

Not applicable.

Step 6: Evidence Gaps.

Are there any gaps in the equality information you currently hold? ~~Yes~~/No

If yes, please state what they are, and what measures you will take to obtain the evidence you need.

Step 7: Are there potential differential impacts on protected characteristic groups? Please complete for each group, including details of the potential impact on those affected. Please remember to take into account any particular impact resulting from **Covid-19**.

No.

Please state if there is a potentially positive, negative, neutral or unknown impact for each group. Please state the reason(s) why.

Local bus services provide transport for all to use, and access does not depend on any protected characteristic.

Age

Impact: Neutral or positive impact on people of all ages, but particularly young and old who will be able to utilise free bus travel schemes and may have limited access to a private car.

Disability

Impact: Neutral or positive impact on people with a disability as they are provided with a free travel scheme and accessible vehicles and supporting infrastructure.

Gender reassignment

Impact: Neutral.

Marriage and Civil Partnership

Impact: Neutral.

Pregnancy/Maternity

Impact: Neutral.

Race - (includes Gypsy Travellers)

Impact: Neutral.

Religion or Belief

Impact: Neutral.

Sex

Impact: Neutral.

Sexual orientation

Impact: Neutral.

Step 8: Consultation with any of the groups potentially affected

If you have consulted with any group potentially affected, please give details of how this was done and what the results were.

Neutral or positive impact, hence no consultation undertaken.

If you have not consulted with any group potentially affected, how have you ensured that you can make an informed decision about mitigating action of any negative impact (Step 9)?

Not applicable.

Step 9: What mitigating steps will be taken to remove or reduce potentially negative impacts?

Not applicable.

Step 10: If a potentially negative impact has been identified, please state below the justification.

Not applicable.

Step 11: In what way does this proposal contribute to any or all of the public sector equality duty to: eliminate unlawful discrimination; advance equality of opportunity; and foster good relations between people of different protected characteristics?

The proposal identifies the positive impact in being able to utilise public transport to access, healthcare, employment, education and local amenities.

Step 12: Is there any action which could be taken to advance equalities in relation to this proposal?

No actions to be taken.

Step 13: FAIRER SCOTLAND DUTY – NOT APPLICABLE

This step is only applicable to **strategies** which are key, high level decisions. If your proposal is **not** a strategy, please leave this Step blank, and go to Step 14.

Links to data sources, information etc which you may find useful are in the Guidance.

Step 13(A) What evidence do you have about any socio-economic disadvantage/inequalities of outcome in relation to this strategic issue?

Step 13(B) Please state if there are any gaps in socio-economic evidence for this strategy and how you will take measures to gather the evidence you need.

Step 13(C) Are there any potential impacts this strategy may have specifically on the undernoted groupings? Please remember to take into account any particular impact resulting from **Covid-19**.

Please state if there is a potentially positive, negative, neutral or unknown impact for each grouping.

Low and/or No Wealth (e.g. those with enough money to meet basic living costs and pay bills but have no savings to deal with any unexpected spends and no provision for the future.

Material Deprivation (i.e. those unable to access basic goods and services e.g. repair/replace broken electrical goods, warm home, leisure and hobbies).

Area Deprivation (i.e. where people live (e.g. rural areas), or where they work (e.g. accessibility of transport).

Socio-economic Background i.e. social class including parents' education, people's employment and income.

Other – please indicate

Step 13(D) Please state below if there are measures which could be taken to reduce socio-economic disadvantage/inequalities of outcome.

Step 14: What arrangements will be put in place to monitor and review the Equality Impact/Fairer Scotland Duty Assessment?

As noted in Step 13(B), the importance of monitoring and evaluating outcomes from the Strategy, Action Plan and deliverables do need to be strengthened.

Step 15: Where will this Equality Impact/Fairer Scotland Duty Assessment be published?

With the published report to council committee.

Step 16: Sign off and Authorisation. Please state name, post, and date for each:

Prepared by: **Iain Leith, Transport Team Leader, Roads & Transportation, 20 October 2022**

Reviewed by: **Craig Hudson, Traffic and Transport Manager – Roads & Transportation, 20 October 2022**

Approved by: **Graeme Daily, Director of Infrastructure and Environment, 21 October 2022**

NB. There are several worked examples of separate EIA and FSD Assessments in the Guidance which may be of use to you.
