

# EXECUTIVE MEMBER DECISION



<b>REPORT OF:</b>	Executive Member for Children, Young People and Education (In consultation with the leader of the Council)
<b>LEAD OFFICERS:</b>	Strategic Director of Children & Education (DCS)
<b>DATE:</b>	27 October 2023

**PORTFOLIO/S AFFECTED:** Departments

**WARD/S AFFECTED:** (All Wards);

**SUBJECT: Contract awards for home to school transport**

## 1. EXECUTIVE SUMMARY

To seek approval from the Executive Member for Children, Young People and Education to award to successful providers who have submitted tenders for Home to School transport.

## 2. RECOMMENDATIONS

That the Executive Member, in consultation with the Leader of the Council:

- Approves the award of eight contracts for Home to School transport for the period 8<sup>th</sup> January 2024 to Summer term 2025 and one contract for the period 8<sup>th</sup> January 2024 to Summer term 2024.
- Approves that in the event the existing supplier loses their licences at an earlier date than the commencement dates for the contracts will be moved forward.
- Approves that in the event one of the winning providers chooses not to take on a contract this will be awarded to the next highest bidder.
- Approves that the appropriate budget adjustments are made to reflect the increased costs in both 2023/24 and 2024/25 for those costs to be borne by the Council;
- Notes the intention to review the funding of Home to School Transport in advance of the 2024/25 Academic year.

## 3. BACKGROUND

The Executive Member for Children, Young People and Education previously approved the creation of a new DPS (Dynamic Purchasing System) framework for any future procurement of Home to School transport. A DPS framework unlike a traditional one allows suppliers to join the framework at any stage whilst the framework is live, this ensures that as many suppliers as possible could qualify to participate in the framework in order to create more competition.

The Council previously awarded 9 contracts under a 3 year contract which were due to run until Easter term 2025 to a supplier under the previous framework. The department were notified that the supplier's licences were being revoked from the 21<sup>st</sup> October giving the Council no option but to retender these services to originally commence after the half term break. Following this a stay was granted until the 9<sup>th</sup> November in order to allow the supplier further time to appeal against this

decision. Due to these circumstances the Council has issued a 12 week notice on the Supplier to terminate all existing contracts with new providers now taking on the provision from the 8<sup>th</sup> January 2024, with them being prepared to step in from an earlier date should the appeal not be successful. A total of 11 suppliers are currently on the Council's new framework for the provision of home to school transport and were invited to bid for the requirement with 4 suppliers providing bids against the routes. Supplier bids were evaluated against price only, it is therefore recommended that these contracts are awarded to the lowest scoring bidders as follows:

Route	Company being awarded
10/81	Vision Bus Ltd
10/83	Vision Bus Ltd
10/89	Vision Bus Ltd
10/93	Moving People Ltd
10/97	Moving People Ltd
10/822	Vision Bus Ltd
10/823	Red Rose Travel (Lancashire) Ltd
10/925	Vision Bus Ltd
10/977	Moving People Ltd

As part of the tender exercise suppliers were asked to price against 2 options, providing pricing both to Summer term 2024 and 2025. For 8 of the routes the cost was either the same or cheaper for the longer term contract and so it is proposed that they will be awarded until Summer term 2025, for one route the cost of the longer term contract was more expensive and therefore this one shall be let for a shorter period to see if better value for money can be achieved at a later date.

#### **4. KEY ISSUES & RISKS**

If contracts are not awarded then the Authority would be at increased risk of being in breach of its statutory responsibility to provide transport for children and young people.

#### **5. POLICY IMPLICATIONS**

A continuation of service is required in order to meet the required statutory obligation of providing Home to School Transport.  
508B and 508C Education Act 1996 as amended.

#### **6. FINANCIAL IMPLICATIONS**

The supplier who previously provided these contracts did this at considerably less than the normal costs for the industry, this combined with the impact of inflation has seen a large increase in costs for the authority.

For the remainder of this financial year a budget increase of between £52,608.79 and £91,578 will be required, increasing to £185,105 for the 2024/25 financial year.

In relation to the funding of the additional costs, in relation to the relevant academic years:-

- for 2023/24, subject to discussions with the relevant Schools, consideration will be given to the distribution of the additional costs as appropriate;
- for 2024/25 it is proposed that a review of the funding of Home to School Transport is undertaken.

## 7. LEGAL IMPLICATIONS

The procurement process used to tender these contracts complies with the requirements of the Council's Contract and Procurement rules and the Public Contracts Regulations 2015.

The current supplier has indicated the Transfer of Undertakings (Protection of Employment) Regulations 2006 will apply to some of these contracts. Details of the transfer are being negotiated with the new suppliers. There is a risk that if this is not successful then these contract awards will not proceed and an alternative supplier will be sought.

## 8. RESOURCE IMPLICATIONS

There are no resource implications associated with this decision.

## 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below. Where appropriate please include the hyperlink to the EIA.**

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

## 10. CONSULTATIONS

None with this report.

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

## 12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable. This report would normally have been in consultation with the Executive Member of Finance & Governance, as the Executive Member is a governor of one of the schools included in this report this could have been seen as a conflict of interest and therefore the report is in consultation with the leader of the Council.

<b>VERSION:</b>	<b>2</b>
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<b>CONTACT OFFICER:</b>	<b>Peter Hughes</b>
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<b>DATE:</b>	04/10/2023
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**BACKGROUND  
PAPER:**

Executive Member Decision 24/02/2023 - Contracts for SEN and home to school transport