

North Yorkshire County Council
Business and Environmental Services
Executive Members

24 June 2022

Hambleton, Scarborough, Selby and Miscellaneous Area Review of Home to School and Local Bus Service Transport Contracts

Report of the Assistant Director – Transport, Environment and Countryside Services

1.0 Purpose of Report

- 1.1 To seek approval from the Corporate Director, Business and Environmental Services (BES), in consultation with the Corporate Director Children’s and Young People Services (CYPS), and Business and Environmental Services Executive Members to proceed with a re-procurement of transport contracts in the Hambleton, Scarborough, Selby and Miscellaneous areas for both Local Bus (excluding Hambleton) and Mainstream Home to School transport services.

2.0 Background

- 2.1 Integrated Passenger Transport (IPT) undertakes to re-evaluate all of its subsidised Local Bus Service (LBS) and contracted Mainstream Home to School transport service contracts (delegated responsibility from The Corporate Director of Children and Young People’s Service) across North Yorkshire through a programme of area reviews; the county is split into four review areas, the whole cycle taking four years to complete.
- 2.2 Current contracts in Scarborough, Hambleton (excluding LBS), and Selby along with some miscellaneous contracts are due to end in April 2023 and new contracts must be secured to start on 17 April 2023. A full review of both LBS and School routes and pupil allocations in the above areas will be undertaken as part of this review.

3.0 Proposed Tender Procedure

- 3.1 An ‘Open’ tender process will be undertaken by IPT in accordance with the Council’s Procurement and Contract Procedure Rules and the Public Contracts Regulations 2015 with support from the central procurement team.
- 3.2 Contracts will be advertised through Prior Information Notice and notices published on Finder Tender and through the e-tendering system notice board.
- 3.3 The Gateway process will be followed and approval to award the contracts for both BES and Children and Young People’s Service under this joint procurement will be sought from The Corporate Director – Business and Environmental Services (BES) through the Gateway 3 process following consultation with The Corporate Director - Children and Young People’s Service.

4.0 Financial Implications

- 4.1 This procurement is within the Council’s policy framework and appropriate budgets exist within Children and Young People’s Service (CYPS) and BES for the review and procurement work to be carried out and financed.

5.0 Legal Implications

5.1 Local Bus Services

The Council's obligations as set out in the Transport Act 1985 section 63 (as amended by the Transport Act 2008), places the following duty on the Council:

- to secure the provision of such public passenger transport services as the Council consider it appropriate to secure to meet any public transport requirements within the county which would not in their view be met apart from any action taken by them for that purpose;
- in exercising or performing any of their functions pursuant to section 63 the Council shall have regard to the transport needs of members of the public who are elderly or disabled

5.2 Mainstream Home to School Services

The Education Act 1996 (as amended) Sections 508B and 508C make provision for the County Council to ensure that suitable travel arrangements are made, where necessary to facilitate a child attending school. The County Council has a duty to make travel arrangements for 'eligible children' and in doing so has regard to statutory guidance and the Council's own policy.

5.3 The procurement will be undertaken in compliance with the Public Contracts Regulations 2015.

6.0 Equalities Implications

6.1 An Equalities Impact Assessment (EqIA) has been carried out to consider the impact of this review and this can be found at Appendix 1.

6.2 The Equalities duty is ongoing and will be reviewed throughout the planning, review and procurement stages as well as prior to the award of any contracts.

7.0 Climate Change

7.1 Seeking permission to re-procure these services will continue to have a negative impact on both emissions and air pollution in the same way as it does now. See Appendix 2

7.2 The Council currently spends £29M on Home to School Transport and that cost would significantly increase if there were to be a change to our vehicle type and age requirements. There would also be an issue in securing tender prices as the nature of the transport network in North Yorkshire means that many of our transport providers are small/medium providers. They do not have the funds to replace vehicles with newer ones especially given the significant impact that Covid has had on the transport industry.

7.3 It is acknowledged that this issue needs further consideration and work in the future to consider options for a longer term strategy to reduce the impact of this type of transport on the environment.

8.0 Recommendation

- 8.1 It is recommended that The Corporate Director – BES, in consultation with the Corporate Director, CYPS, and the Business and Environmental Services Executive Members, agrees to proceed with the re-procurement of transport services in the Hambleton, Scarborough, Selby and Miscellaneous areas for both Local Bus (excluding Hambleton) and Mainstream Home to School transport services.

MICHAEL LEAH

Assistant Director - Transport, Environment and Countryside Services

Report author: Catherine Price

Background documents: None

Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

Hambleton, Scarborough, Selby and Miscellaneous Area Review of Home to School and Local Bus Service Transport Contracts 2022

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھیے۔



Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Business and Environmental Services, Integrated Passenger Transport
Lead Officer and contact details	Project Owner: Catherine Price ext 5691
Names and roles of other people involved in carrying out the EIA	Contracting Officers: Nicky Moseley ext 8031 Dianne Pottage ext 5103 Mary Welch ext 5104
How will you pay due regard? e.g. working group, individual officer	Consideration of the EIA by the Officers involved in the procurement process
When did the due regard process start?	April 2022

Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

IPT reviews all of its transport services for both mainstream home to school and local bus contracts across North Yorkshire through a continuous programme of contract renewal. The county is split into 7 areas and the whole review cycle takes 4 years to complete.

Re-newal of contracts is required for mainstream home to school, and Local Bus Service contracts in the Scarborough, Hambleton (excluding LBS), Selby areas. In addition, some miscellaneous contracts are also being reviewed.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The Council has a statutory duty to provide Home to School Transport for pupils entitled to transport in line with its policy and is required to secure the provision of home to school and public passenger transport services. The contracts involved in the re-procurement have already been extended within the terms of the contract and are now required to be re-procured to secure essential transport services.

Section 3. What will change? What will be different for customers and/or staff?

In reviewing the contracts, service routes and timetables will be changed to meet changing home to school requirements. There may be some changes to local bus service frequency and timetables to ensure that we can make the best use of the available funding whilst having regard to our overall strategy. However, we do not plan to remove any services altogether. Where we propose changes to timings of services, Community Transport and Car Schemes can be used in mitigation if necessary. In some cases, the contractors providing the services may change as a result of the tendering process.

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

For contracts that are in the area renewal process comments are being sought from:

Home to School Transport

Schools and Parents via the schools
County Councillors

Local Bus Services

Parish Councils
District Councils
County Councillors
Neighbouring Authorities
Other designated Stakeholders

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

This procurement is within the Council policy framework and appropriate budgets exist within CYPs and BES for the work to be carried out and financed. It is anticipated that whilst some contracts will reduce in costs, others may increase particularly given the current climate of rising costs including increased fuel and staffing costs.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age	X			
Disability	X			
Sex (Gender)	X			
Race	X			
Gender reassignment	X			
Sexual orientation	X			
Religion or belief	X			
Pregnancy or maternity	X			
Marriage or civil partnership	X			

Section 7. How will this proposal affect people who	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
live in a rural area?	X			
have a low income?	X			

Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

No

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	X
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
<p>Explanation of why option has been chosen. (Include any advice given by Legal Services.)</p> <p>The Council has a statutory responsibility to transport school children who qualify for free home to school transport in line with the Councils policy and these requirements will be met. Whilst not all vehicles that will be used in the provision of home to school transport will be accessible, pupils who have special access requirements will be accommodated as necessary.</p> <p>It is anticipated the local bus network in the Scarborough and Selby areas will remain largely the same as it is currently and access to the nearest service centre will be maintained. There may be a minor impact to a few individual passengers where timetables have changed but for the most part this will be mitigated by the existence of alternative timetabled services and the expansion of demand responsive and community transport services. It is therefore considered that any impact is both minimal and justifiable in relation to the wider aims of the service which are to preserve key essential services whenever possible.</p>	

<p>Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)</p> <ul style="list-style-type: none"> • Monitor correspondence and complaints following the introduction of any changes • Monitoring of the services through on-going contract management • Feedback from users, operators, Parish Councils, County Councillors and other stakeholders

<p>Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.</p>				
Action	Lead	By when	Progress	Monitoring arrangements
Passenger Usage	Operator/Contract Manager	On-going during contract life from April 2023	On-going	Through normal contract management

Section 12. Summary Summarise the findings of your EIA, including impacts, recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

This EIA seeks to assess the equality impact of changes to services as a result of renewal of contracts for Home to School and Local Bus Services.

We have no evidence to show an impact in relation to the tender of contracts for home to school transport.

For local bus services there may be a small impact for a few individual passengers where timetables may change but for the most part this will be mitigated by the existence of alternative services and the availability of demand responsive and Community Transport services. It is therefore considered that any remaining impact will be both minimal and justifiable in relation to the wider aims of the service which are to preserve key essential services whenever possible.

Section 13. Sign off section

This full EIA was completed by:

Name: Catherine Price

Job title: Head of Transport Services

Directorate: Business & Environmental Services

Signature: *Catherine Price*

Completion date: May 2022

Authorised by relevant Assistant Director (signature): *Michael Leah*

Date: 31.05.22



Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Hambleton, Scarborough, Selby and Miscellaneous Area Review of Home to School and Local Bus Service Transport Contracts
Brief description of proposal	To seek permission to undertake transport contract re-procurement
Directorate	Business and Environmental Services/CYPS
Service area	Integrated Passenger Transport
Lead officer	Catherine Price
Names and roles of other people involved in carrying out the impact assessment	None
Date impact assessment started	May 2022

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

The Council has a statutory duty to provide Home to School Transport for pupils entitled to transport in line with its policy and is required to secure the provision of home to school and public passenger transport services. The contracts involved in the re-procurement have already been extended within the terms of the contract and not re-procuring is not an option for us to meet our statutory responsibilities.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

There are budgets available in both Business and Environmental Services and Children and Young Peoples Service to meet the cost of the re-procurement. In the present financial climate based on what we are currently experiencing in relation to fuel, staffing and vehicles availability it is expected that costs for both BES and CYPS will increase.

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.</p>	<p>Emissions from travel</p>		<p>X</p>	<p>Maintaining the current level of bus services needed to help pupils and the public to access education and essential services will result in no change to the existing impact.</p> <p>However, the existing impact is acknowledged as having a negative impact as there are up to 500 contracts in this review with vehicles of varying size and age on the road 190 days of the year over 4 years.</p>	<p>We review transport services to ensure that the network is as efficient as it can be to keep the vehicles on the road 190 day a year, to a minimum. Our terms and conditions of contract set out vehicle age restrictions that providers must comply with and the following clause is a requirement of the terms and conditions of contract</p> <p>20. SUSTAINABILITY 20.1 Throughout the Term of this Agreement the Supplier shall make all reasonable endeavours to reduce any negative impact on the environment caused by the Service.</p>	

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>	
					<p>20.2 The Supplier may be required to provide evidence of actions taken to mitigate climate change and reduce greenhouse gas emissions, and on request, information relating to fuel use and other relevant indicators.</p>		
	Emissions from construction		X		No impact.		
	Emissions from running of buildings		X		No impact.		
	Other						
<p>Minimise waste: Reduce, reuse, recycle and compost e.g. reducing use of single use plastic</p>			X		No impact.		
<p>Reduce water consumption</p>			X		No impact		

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Minimise pollution (including air, land, water, light and noise)</p>			<p>X</p>	<p>Maintaining the current level of bus services needed to help pupils and the public to access education and essential services will result in no change to the existing impact.</p> <p>However, the existing impact is acknowledged as having a negative impact as there are up to 500 contracts in this review with vehicles of varying size and age on the road 190 days of the year over 4 years.</p>	<p>We review transport services to ensure that the network is as efficient as it can be to keep the vehicles on the road 190 day a year, to a minimum. Our terms and conditions of contract set out vehicle age restrictions that providers must comply with and the following clause is a requirement of the terms and conditions of contract</p> <p>20. SUSTAINABILITY 20.1 Throughout the Term of this Agreement the Supplier shall make all reasonable endeavours to reduce any negative impact on the environment caused by the Service.</p>	

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
					<p>20.2 The Supplier may be required to provide evidence of actions taken to mitigate climate change and reduce greenhouse gas emissions, and on request, information relating to fuel use and other relevant indicators.</p>	
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		X		No impact anticipated		
<p>Enhance conservation and wildlife</p>		X		No impact anticipated		
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		X		No impact anticipated		
<p>Other (please state below)</p>		X		No impact anticipated		

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

N/A

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

Seeking permission to re-procure these services will continue to have a negative impact on both emissions and air pollution in the same way as it does now. The Council currently spends £29M on Home to School Transport and that cost would significantly increase if there was to be a change to our vehicle requirements. There would also be an issue in securing tender prices as many of our transport providers are small/medium providers who do not have the funds to replace vehicles with newer ones especially given the significant impact that Covid has had on the transport industry.

However, it is acknowledged that this issue needs further consideration in the future in relation to a longer term strategy to reduce the impact of this type of transport on the environment.

Sign off section

This climate change impact assessment was completed by:

Name	Catherine Price
Job title	Head of Transport Services
Service area	Integrated Passenger Transport
Directorate	Business and Environmental Services
Signature	C Price
Completion date	18/05/2022

Authorised by relevant Assistant Director (signature): Michael Leah

Date: 31/05/2022