



**Report of: Chief Officer Civic Enterprise Leeds**

**Report to: Director of Resources and Housing**

**Date: 11<sup>th</sup> September 2020**

**Subject: Passenger Transport – Approval to procure a framework agreement for the provision of Transport services via taxi, private hire, hackney carriages, standard minibus and wheelchair access minibuses.**

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## Summary

### 1. Main issues

- Passenger Transport currently has approved frameworks for the supply of taxi and private hire contractors (DN219654) and a Dynamic Purchasing System (DPS) for both minibuses and wheelchair accessible minibuses (DN251076) which support the service with home to school transport, the framework is due to expire in March 2021.
- Passenger Transport is commissioned by both Children's and Families and Adults and Health to provide transport for both children and young people with special educational needs and disabilities (SEND) and children who are in the care of the authority requiring a home to school transport. This service also covers transportation of older people and adults with learning difficulties in order that they can access day services.
- This report seeks approval to procure a new framework agreement which encompasses all vehicles required to run this service.
- The contracts will be for four years (1+1+1+1) and based on existing trend the current spend is projected at between £6m - £8m per annum.
- Transport arrangements will be managed through a mix of our own in house fleet as well as utilising a framework agreement.
- The annual current private hire spend for Passenger Transportation is between £6m - £8m.

- Passenger Transport depends on the support provided in this framework agreement in order to meet the ever increasing demand for both children and adult transport. Without this partnership arrangement with providers, the council would not meet its statutory obligation to provide home to school transport.
- The purpose of this report is to seek approval to start the procurement process in order that arrangements can be tendered and awarded from the 1<sup>st</sup> April 2021.

## **2. Best Council Plan Implications** (click [here](#) for the latest version of the Best Council Plan)

- Supports the Child Friendly City agenda, ensuring that young people have appropriate support to attend school, helps improve educational attainment, closing achievement gaps for children and young people vulnerable to poor learning outcomes.
- Supports the Safe Strong Communities agenda as our transport system, ensures that we keep people safe from harm whilst under our care and protects the most vulnerable.
- Sustainable infrastructure – improving air quality, reducing noise and emissions.

## **3. Resource Implications**

- This procurement activity will ensure the approved framework will ensure value for money, flexibility and control. A large proportion of routes and journeys will be delivered in house but will need to be supplemented by the private hire market. We anticipate receiving bids from a number of current and new private hire providers to be placed within the framework agreement.

## **Recommendations**

- a) The Director of Resources and Housing is requested to approve the commencement of this procurement framework agreement for the provision of home to school transport of SEND children, children who are in the care of the Authority, and adult day centre transport to commence from the 1<sup>st</sup> April 2021.
- b) The maximum length of the contracts will be four years (1+1+1+1), with an estimated spend of approx. £6 - £8m per annum.

## **1. Purpose of this report**

- 1.1 The Director of Resources and Housing is requested to approve the commencement of this procurement activity in order that a new framework agreement for the supply of vehicle hire contractors is in place from 1<sup>st</sup> April 2021.
- 1.2 To seek authority to incur an estimated expenditure on Passenger Transport of up to £8m on an annual basis dependant on demand.

## **2. Background information**

- 2.1 Passenger Transport is commissioned by both Children's and Families and Adults and Health to provide home to school transport for children and young people with SEND and children who are looked after, as well as adults with learning difficulties in order that they can access day services. This is a statutory responsibility for the council to undertake this duty.
- 2.2 Passenger Transport currently access a framework agreement the supply of taxi and private hire contractors (DN219654) and a DPS framework for both minibuses and wheelchair accessible minibuses (DN251076) was established on 1<sup>st</sup> April 2017, and is due to expire 31<sup>st</sup> March 2021.
- 2.3 The current framework arrangement is due to expire on 31<sup>st</sup> March 2021 and require approval to procure new arrangements in order to tender and award new private hire arrangements. Requests for transport assistance is considered by a team of Travel Assessors which check eligibility against the home to school policy and discuss suitable alternatives such as independent travel training or personal travel allowance. Once the options have been explored and there is no alternative, transport requirements are scheduled on to an appropriate vehicle and a contract let.

## **3. Main issues**

- 3.1 Passenger Transport is required to transport over 3000 customers each day. This is currently managed through our own in-house fleet but also in partnership with contractors, who through a current framework agreement, are able to support the service with the provision of wheelchair accessible minibuses, standard minibuses, cars and also some companies are able to supply passenger assistants who support the young child or adult throughout their journey.
- 3.2 Without the support from contractors, children with SEND and children who are in care of the authority would not be able to attend school and adults with learning difficulties would be unable to access day services.
- 3.3 The demand for children's transport is under pressure as there is an increase in the number of children with SEND who qualify for transport as a result of their complex and challenging needs.
- 3.4 In order to meet this demand, the in house service regularly reviews its capacity and is always looking to invest in additional resources, but the demand for transport is such that support is also required from private hire providers.
- 3.5 As well as an overall increase of the amount of transport required, there is a greater need for specialist transport for children with complex medical needs which has increased demand for passenger assistance. Some of this demand will be resourced by the in house service but there will be an added requirement from private hire providers to support the service.

Safeguarding and data protection were also important features of the specification.

All providers will be licensed by Leeds Taxi and Private hire licensing, and all employees working on the contract will have to have a clear Enhanced DBS check.

The vehicles have to be fuel efficient and over the life of the contract we will work closely with Taxi and Private hire licensing to ensure the vehicles used on this contract contribute to the Councils Clean Air Policy.

- 3.6 Further, the contract stipulates that the Operator will have to provide evidence that they have complied with an added Social Value requirement that all employees working on the contract have contributed a minimum of 14 hours work with Community groups in one year. This will be monitored as part of the contract management plan.
- 3.7 Call-off contracts will be awarded based on mini-competition tender activities – this could be on an individual route basis, or in the form of 'Resource' contracts, where the winning contractor would be responsible for a pre-defined collection of work. All suppliers will be invited to tender and the individual awards will be made on a price quality split.
- 3.8 Timetable

<b>An indicative timetable for the proposed procurement process is set out below</b>	
Issue Tender Documentation	2 <sup>nd</sup> November 2020
Tender Evaluation(Inc. governance reporting, and contract award prep)	7 <sup>th</sup> December 2020
Contract Award	18 <sup>th</sup> January 2021
Contract Mobilisation	1 <sup>st</sup> March 2021
Contract Start	1 <sup>st</sup> April 2021

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

- 4.1.1 Consultation with both Children's and Families and Adults and Health continues throughout the year in order that transport arrangements meet the appropriate requirements and is within the appropriate policy guidance.
- 4.1.2 The service also works in partnership with the Council's taxi and private hire licensing service if there is any licensing or regulation issues with a provider.
- 4.1.3 Information sessions will be undertaken with interested providers.

### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 An Equality, Diversity, Cohesion and Integration screening report has been considered and a full Equality Impact Assessment was completed at the start of the tender process. Appendix A.

### **4.3 Council policies and the Best Council Plan**

- 4.3.1 The proposals within this report will contribute to the continued delivery of an effective Passenger Transport service for Leeds City Council. It is paramount that procurement within Leeds City Council is undertaken with a view to ensure openness, transparency and fairness. As such the contracts for the supply of home to school transport will be procured in line with Leeds City Council's Contract Procedural rules.

#### Climate Emergency

- 4.3.2 The service that is required to be delivered can have a significant impact on the environment as it can involve high numbers of repeat journeys in what have historically been diesel vehicles. In order to reduce the impact on the environment a number of actions have been taken by the service including commissioning a fleet of more fuel efficient, reduced emissions CAZ (Clean Air Zone) compliant in house vehicles, through the route review increasing occupancy rates and making routes more efficient to reduce mileage and smarter routing when requesting a service from external providers. We have also been working with suppliers on ensuring they are aware of the CAZ and are compliant and encouraging them to reduce emissions.

### **4.4 Resources, procurement and value for money**

- 4.4.1 Call off contracts as a result of this procurement activity will go through YORtender in line with both the framework agreement and in accordance with the Council's Contracts Procedure Rules to assure value for money.
- 4.4.2 There are adequate resources available within both CEL and the PACS team to undertake this procurement activity.

### **4.5 Legal implications, access to information, and call-in**

- 4.5.1 The Director of Resources and Housing is requested to authorise this decision to approve the procurement activity. This is a Key Decision and subject to call-in.

- 4.5.2 Advice regarding any procurement exercise, including terms and conditions, off contract/arrangement, will be obtained from the PAC's section to ensure compliance with the Council Governance Procedure.

## **4.6 Risk management**

- 4.6.1 If Passenger Transport did not have contract agreements which support the service in the provision of transport, the authority would be at increased risk of being in breach of its statutory responsibility to provide transport assistance for children and young people with SEND and children who are in the care of the authority and also adults who wish to access day care services.

## **5. Conclusions**

- 5.1 Passenger Transport is commissioned to provide home to school transport for children and young people and transport for adults with learning difficulties in order they can access day services.
- 5.2 The demand for home to school transport is increasing, and whilst the in-house service is reviewing its own mix of resources, the service will require some arrangements to go out on the framework agreement, and without such contract arrangements the council would fail its statutory responsibility to provide home to school transport for children with special educational needs.
- 5.3 The current framework arrangements expires on 31<sup>st</sup> March 2021.
- 5.4 The current DPS for the supply of minibuses expires on the 31<sup>st</sup> March 2021.
- 5.5 Throughout the summer, application forms for transport assistance are received by the service from parents and families of children and young people with SEND. The application forms are considered in line with the current transport policy and if there is no alternative available to parents, transport assistance is provided through the provision of Passenger Transport's in-house service or with a provider that has been commissioned by Passenger Transport.
- 5.6 All current and new suppliers will be invited to tender to be placed on the framework agreement starting from 1<sup>st</sup> April 2021.

## **6. Recommendations**

- 6.1 The Director of Resources and Housing is requested to approve the commencement of this procurement framework agreement for the provision of home to school transport of SEND children, children who are in the care of the Authority, and adult day centre transport to commence from the 1<sup>st</sup> April 2021.
- 6.2 The maximum length of the contracts will be four years (1+1+1+1), with an estimated spend of approx. £6 - £8m per annum.

## **7. Background documents<sup>1</sup>**

- 7.1 None.

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<sup>1</sup> The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.