

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	4433
<b>Author:</b>	James David Howe
<b>Department:</b>	Growth and City Development
<b>Contact:</b>	James David Howe (Job Title: Principal Public Transport Officer, Email: james.howe@nottinghamcity.gov.uk, Phone: 0115 876 4676)
<b>Subject:</b>	Broad Marsh Bus Station User Agreements with Coach and Bus Operators
<b>Key Decision (decision valued at more than £750,000):</b>	Yes
<b>Total Value:</b>	See Exempt Appendix (Type: Revenue)
<b>Decision Being Taken:</b>	1) To approve entering into a 10-year Broad Marsh Bus Station User Agreement with bus and coach operators. 2) To delegate authority to the Corporate Director of Growth and City Development to finalise the terms of the Agreement.
<b>Reasons for the Decision(s)</b>	The proposed Agreement will confirm the arrangements with the bus and coach operators to enable bus and coach provision to be established in the new Broad Marsh Bus Station.
<b>Other Options Considered:</b>	To do nothing: if no Agreement is signed up to by all parties then there will be no bus or coach operations using the bus station. Bus operators may instead look to use other on-street bus stops and stands around the City Centre. For this reason, this option is rejected.
<b>Background Papers:</b>	None
<b>Published Works:</b>	None
<b>Affected Wards:</b>	Citywide

**Colleague / Councillor Interests:**

None

**Any Information Exempt from publication:**

Yes

**Exempt Information:**

**Description of what is exempt:**

The contract for the use of the bus station, the financial details of the agreement and the Finance advice.

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

**3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).**

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the decision contains commercially sensitive information relating to the departure charges that, if published, could prejudice the Council's negotiating position.

**Documents exempt from publication:**

Finance comments for Bus station.docx, Decision Summary - Broadmarsh Bus Station User Agreement - v5.0.docx, BMBS Conditions of Use DRAFT v5.1.docx

**Consultations:**

Date: 06/10/2021

Other City Council Bodies: Broad Marsh Car Park Building Board Meeting

Board members agreed an action to seek approval to enter into a Bus Station User Agreement.

**Crime and Disorder Implications:**

The Security Team will have two staff stationed on site in a security office at all times and they will monitor CCTV, as well as undertake regular patrols and react to incidents as witnessed or reported. Regular maintenance and cleaning of the premises and facilities will be undertaken to an acceptable standard. Clear operational rules and standards are communicated to the bus and coach operators within the agreement to ensure their management and staff are aware of their responsibilities.

**Equality:**

EIA not required. Reasons: This decision does not represent proposals for a new or changing policy, service or function.

**Social Value Considerations:** The agreement will be a commercial contract because of the departure charge income being sought from the operators. There are no procurement of works or services being undertaken.

**Decision Type:** Leader's Key Decision

**Subject to Call In:** Yes

**Call In Expiry date:** 18/11/2021

**Advice Sought:** Legal, Finance, Procurement

**Legal Advice:**

The entering into user agreements with various bus and coach operators will ensure that there is a clear set of obligations in place, including payment obligations from the operators to the Council.

The agreement has been drafted by Legal Services, in full consultation with the client officers involved in this project to clearly reflect the needs and requirements for the safe operation of the bus station. The document has been shared with the operators and may be subject to some final minor amendments.

The decision to be taken raises no significant legal concern and is supported.

Advice provided by Naomi Vass (Senior Solicitor) on 28/10/2021.

**Finance Advice:**

This advice is exempt from publication and is contained within an Exempt Appendix.

Advice provided by Susan Tytherleigh (Senior Finance Manager) on 27/10/2021.

**Procurement Advice:**

This decision concerns income generation for the Council and as such raises no significant Procurement concerns.

Advice provided by Paul Ritchie (Procurement Manager) on 01/11/2021.

**Signatures:**

David Mellen (Leader/ PH Strategic Regeneration Communications)  
SIGNED and Dated: 10/11/2021

Sajeeda Rose (Corporate Director of Growth & City Development)  
SIGNED and Dated: 10/11/2021