

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3343
Author:	Mark Garlick
Department:	Development and Growth
Contact:	Mark Garlick (Job Title: Team Leader: Public Transport Operations, Email: mark.garlick@nottinghamcity.gov.uk, Phone: 01158764675)
Subject:	Clifton Bus Network: Grant of £176,000 funding, over 3 years, to NCT route 53/4
Total Value:	£176,000 from April 2019 to March 2022 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1) To authorise the grant of funding to Nottingham City Transport (NCT) to support the commercial service 53 operated by NCT and facilitate minor changes to the service to create a newly named '54'. The funding is to be awarded in values of £45,000 in 2019/20; £65,500 in 2020/21 and £65,000 in 2021/22;2) To approve the withdrawal of the Council's existing bus route L64;3) To delegate authority to the Corporate Director of Development and Growth to enter into a grant agreement with NCT detailing the relevant conditions of award.
Reasons for the Decision(s)	<p>As part of network changes in Clifton from January 2019, NCT are to divert their commercial service 53 into the above areas that are currently served by a City Council contract bus service, the L64. The diverted journeys will be numbered 54. The Transport Act 1985 (Section 92) requires that Council Contract bus services avoid competing with commercial routes. Minor amendments to the commercial 53 route would enable those areas now served by the L64 to be covered by the 54, and this will be the most efficient way of covering those areas, whilst maintaining a healthy 53/4 Ring Road service at the same time. The recommendation is that the L64 is withdrawn, to avoid duplication of the service, and to ensure that the core of the 53/4 route remains commercially viable to provide support to NCT in its provision of the 54..</p> <p>The Council contract bus service L64 will be withdrawn and funding provided to support the NCT 54 service at: Larkhill Retirement Village, the Summerwood Lane area, and the Sunninghill Drive area. The NCT 53/4 service will replace the NCT 3 service at Hartness Road. These areas will lose the through service to the City, but will have a more frequent bus service, running every 30-minutes to Clifton centre, QMC, the Ring Road and City Hospital. Interchange links will be available to other bus and tram services throughout Clifton. Publicity will be provided, ahead of the service change. This will include: printed material, electronic messages and joint Council-NCT press releases to describe the changes.</p>

Briefing notes documents: NCT CLIFTON NETWORK CHANGES_2018_BRIEFING NOTE_070918.docx

Other Options Considered: To retain bus route L64: rejected as under the provisions of the Transport Act 1985 (Section 92), Service L64 should not be retained alongside the commercial 53/4 service. It is suggested that the small amount of grant be awarded to NCT to enhance the provision on the 53/4 route. This will avoid duplication of the route by two services, and ensure the viability of the 53/4 service.

Background Papers:

Unpublished background papers: NCT CLIFTON PROPOSALS_Additional PH Information_Larkhill.docx

Published Works:

Affected Wards: Clifton North, Clifton South

Colleague / Councillor Interests: None

Any Information Exempt from publication: Yes

Exempt Information:

Description of what is exempt: Legal 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

1 - Information relating to any individual The public interest in maintaining the exemption outweighs the public interest in disclosing the information because publishing these legal implications would clearly identify the employees in question

2 - Information which is likely to reveal the identity of an individual The public interest in maintaining the exemption outweighs the public interest in disclosing the information because publishing these legal implications would clearly identify the employees in question.

5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information sets out the legal risks inherent in the course of action proposed here, which the Portfolio Holder is arguably entitled to consider without Nottingham City Council's position being affected simply by the consideration of those risks.

Documents exempt from publication:

Exempt legal observations Commercial and Employment.docx

Consultations:

Date: 11/09/2018

Ward Councillors: Chris Gibson, Roger Steel, Josh Cook, Corall Jenkins, Andrew Rule, Steve Young

All sitting Clifton North and Clifton South Ward members have been sent a Briefing Note regarding the proposed changes, by Mark Garlick, and also by Prairie Bryant, Neighbourhood Development Officer for Clifton [Note that Cllr Steel was not elected at the time of the consultation]. Mark Garlick and David Astill, Commercial Manager at Nottingham City Transport, are to jointly brief Ward members of the changes at the Area 8 Committee meeting on 12 December 2018.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None

Equality:

EIA not required. Reasons: Areas served by the L64 service will continue to be served by Service 54.

Social Value Considerations:

The provision of a grant to NCT will enable the Council to withdraw the current contracted bus service and provide small amounts of funding to a more frequent part-commercial operation and make significant annual savings from Public Transport budgets.

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

19/12/2018

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

This advice is exempt from publication and is contained within an exempt appendix

Advice provided by Aman Patel (Solicitor) and Dionne Claire Screamon (Solicitor) on 04/12/2018.

Finance Advice:

The responsibility for delivering this bus service would transfer to NCT and Nottingham City Council will pay NCT the £95,000 per year. This figure represents the costs incurred in delivering the service and is the available budget within Public Transport. The monitoring and managing of the arrangement would stay within Public Transport. The net financial effect to the Public Transport service will be nil.

This will be a fixed term arrangement so that no increased payments are required to be made and future increases are not the responsibility of Nottingham City Council

Advice provided by Susan Tytherleigh (Senior Finance Manager) on 16/09/2018.

Procurement Advice:

This decision raises no significant procurement issues and is supported by procurement. Advice provided by Paul Ritchie (Lead Procurement Officer) on 05/12/2018.

Signatures

Dave Liversidge (Portfolio Holder for Transport and HR)
SIGNED and Dated: 11/12/2018
Chris Henning (Corporate Director for Development and Growth)
SIGNED and Dated: 11/12/2018