

**OFFICER DECISION RECORD**

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

**Subject:** Distribution of Funding from Department for Transport, for the Delivery of the Zero Emission Bus Regional Area project

**Type of Decision:** Executive

**Key Decision (Executive Functions only):** Yes

**Executive Member/Committee Chairman:**

Phil Bibby, Executive Member

**Portfolio (Executive Functions only):**

Highways and Transport

**Officer Contact:**

Simon Aries

Director – Transport, Waste and Environmental Management

**Tel:** 01992 555970 (Internal: 25255)

**1. Decision**

- 1.1 That the Director – Transport, Waste and Environmental Management; has determined that Annex A to this Decision Record should not be disclosed to the public as it contains exempt information as defined by Section 100 of the Local Government Act 1972, Schedule 12A.
- 1.2 Subject to 1.1 above, awards a contract for the delivery of the Zero Emission Bus Regional Area project within the geographic area of Hertfordshire County Council to Uno Bus Limited.

**2. Reasons for the decision**

- 2.1 In March 2022, as part of the Zero Emissions Bus Regional Areas (ZEBRA) project, Department for Transport awarded Hertfordshire County Council funding of up to £5,600,000 for encouraging zero emission transportation. A further contribution of £485,000 will be made

by Hertfordshire County Council with the remainder of the costs being met by Uno Bus Limited.

- 2.2 The Council subsequently carried out a procurement and awarded a tender to Arriva UK Bus Ltd for the provision of zero emission buses and the upgrade of depots and charging infrastructure to support the use of the zero emission buses. This project was to be part funded from the award mentioned above. Arriva UK Bus Ltd subsequently withdrew from this contract resulting in a failed procurement.
- 2.3 The terms of the grant funding agreement with the Department for Transport requires the Council to put in place a delivery mechanism for the grant funded project within specified timescales. Failure to do so will result in a loss of the grant funding that was awarded in March 2022.
- 2.4 As a result of the withdrawal of the winning bidder from the tender process, the Council explored alternative options to deliver the scheme. Taking into account the requirement for the measures to benefit residents of Hertfordshire County Council and the requirement to deliver the scheme within extremely tight timescales, officers engaged with the market to determine capacity to deliver the project to deliver the buses and upgraded infrastructure.
- 2.5 Uno Bus Limited has confirmed its ability to deliver the project within the deadlines required by the Grant Funding. Uno Bus Ltd has additionally agreed to cover a wider geographic area as compared to Arriva Bus UK Ltd. Under agreed arrangements, the buses will remain in circulation during the summer period and so will not be bound by University calendar requirements.
- 2.6 The project now proposes to deliver an upgraded depot, charging infrastructure and 27 buses. It is confirmed that the scheme proposed by Uno Bus Limited has been accepted by the Department for Transport as a suitable scheme.
- 2.7 This report seeks approval to award the contract for the manufacture and supply of buses, upgraded infrastructure and charging to Uno Bus Limited on the terms set out above.

### **3. Alternative options considered and rejected**

- Not to award the contract – this would result in the Council not delivering environmentally friendly and responsible transport options for residents and result in the loss of grant from the DfT.

### **4. Consultation**

**Was any Councillor consulted?** Yes

**If yes:**

(a) Comments of Executive Member:

The funding and involvement of Uno is welcome, and the new zero emission bus fleet will substantially contribute to our Sustainable Herts strategy and help us achieve our carbon zero target.

(b) Comments of other consultees

Not applicable.

**5. Any conflict of interest declared by a councillor who has been consulted in relation to the decision**

N/A

**6. Following consultation with the Executive Member, I am proceeding with the proposed decision.**

Signed: Simon Aires

Title: Director of Transport & Waste

Date: 06/02/2024

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.<sup>1</sup>

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**Summary of Requirements to Inform/Consult Councillors**

| <b>Significance of Proposed Action</b> | <b>Controversial</b> | <b>Relevant Councillor(s) to be Consulted</b>   |
|--|----------------------|---|
| Technical/Professional/<br>Routine     | No                   | No need to inform or consult councillors  |
| Technical/Professional/<br>Routine     | Yes                  | <b>Executive Functions:</b><br>Consult relevant Lead Executive Member and, where appropriate, Local Councillor<br><b>Non-Executive Functions:</b><br>Relevant Committee Chairman and, where appropriate, Local Councillor |
| Local                                  | No                   | <b>Executive Functions:</b><br>Inform Lead Executive Member and Local Councillor<br><b>Non-Executive Functions:</b><br>Inform Local Councillor  |

|                        |     |   |
|------------------------|-----|---|
| Local                  | Yes | <p><b>Executive Functions:</b><br/>Consult Lead Executive Member and Local Councillor</p> <p><b>Non-Executive Functions:</b><br/>Consult Local Councillor</p>   |
| General or County-wide | No  | <p><b>Executive Functions:</b><br/>Consult relevant Lead Executive Member (s)</p> <p><b>Non-Executive Functions:</b><br/>Consult relevant Committee Chairman</p>  |
| General or County-wide | Yes | <p><b>Executive Functions:</b><br/>Consult relevant Lead Executive Member (s) and the Leader of the Council</p> <p><b>Non-Executive Functions:</b><br/>Consult relevant Committee Chairman/Leaders all Political Groups</p> |