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ITEM 6

Report to: Transport Committee

Date: 24 February 2017

Subject: Bus Strategy

1. Purpose

- 1.1. To set out the implications, response and next steps following the public consultation on the Bus Strategy.
- 1.2. To provide an update on the Bus Services Bill.
- 1.3. To outline the next steps for the delivery of the Bus Strategy, in the context of the delays to the Bus Services Bill legislation and the emerging partnership opportunities being developed through the Bus18 initiative and the Leeds Strategic Outline Case submission.

2. Information

- 2.1. In December 2016, Transport Committee considered the Transport and Bus Strategies report outlining the initial analysis and conclusions from the public consultation on the draft West Yorkshire Bus Strategy. The public consultation commenced on Monday 18 July and ran for 14 weeks until Friday 21 October 2016.
- 2.2. The December report set out that the Bus Strategy consultation received over 3,300 responses. Following the committee meeting, a workshop was held on 23 January 2017 with Transport Committee members to consider the analysis of the consultation responses in detail and the next steps towards adoption of the strategy.
- 2.3. Consultants AECOM were commissioned to produce a full independent report which analysed the consultation responses. The AECOM full report is available on the WYCA website¹. This report provides a significant insight into public and stakeholders views of the bus system and that congestion is just one a breadth of problems with the current bus offer. As examples, the AECOM report highlights that the top issues highlighted within the responses are that:
 - Buses failed to turn up (81%);

¹ http://www.westyorks-ca.gov.uk/Transport/Bus_Strategy/

- Destinations could take a long time to reach (69%);
 - Bus Services didn't run to timetable (65%); and
 - Information provision was inconsistent and difficult to find (63%).
- 2.4. The AECOM report illustrates that whilst many of the responses pick up on points already covered in the full strategy documentation, a range of points were consistently emphasised within responses including driver attitude, lack of support when things go wrong and greater accessibility for disabled people. The AECOM report also sets out that the majority of respondents agreed with the West Yorkshire Bus Strategy vision, with men and older respondents most likely to agree.
- 2.5. As a result of consultation responses received and also subsequent comments received during the workshop with Transport Committee members, it is proposed that details in the bus strategy documentation are refreshed, focusing on:
- Increasing the emphasis on the importance of role of the bus driver and providing the training and customer service standards to consistently meet customer expectations whilst undertaking a challenging front line role;
 - Expanding the strategy to include an additional policy proposal around accessibility and usability of existing bus services, particularly for disability and equality groups. This will also need to address the recent High Court judgement around prams and wheelchairs.
- 2.6. However, given the strong support for the vision, objectives and existing policy proposals it is not proposed to change these from what was consulted on.
- 2.7. In order to move towards the adoption of the Bus Strategy, it is proposed that, in consultation with key stakeholders, the Bus Strategy documentation be expanded to reflect the amendments proposed above. An updated version of the strategy will then be brought to Transport Committee and WYCA, for consideration and adoption.
- 2.8. Reflecting the above work programme, committee dates and purdah periods, adoption of the strategy is planned for summer 2017.

Bus Services Bill – Latest Position

- 2.9. As has previously been reported to Transport Committee, the Bus Services Bill continues through parliamentary process. The Bill has now moved to the House of Commons and Second Reading had been scheduled for 31st January. This has now been delayed due to the prioritisation of the recently announced Brexit legislation. An update on the timings of the Bill will be shared at the meeting.
- 2.10. The second reading will be an opportunity for MPs to talk about the principles of the legislation so it is a key opportunity to demonstrate that there is support for the Bill as well as enabling legislation for transport authorities to improve bus services through having a more effective set of powers.
- 2.11. In the House of Lords a series of amendments were made to the Bill. Some were supported by the Government, whilst others were not supported. Lord Ahmad, speaking for the Government, made it clear that it will look to reverse the unsupported amendments made in the House of Lords. A summary of the key amendments made in the House of Lords is provided in Appendix 1, together with a

proposed position for Transport Committee regarding these amendments. The appendix highlights two amendments which the Government has made clear it does not support:

- Opening access to franchising powers to all local authorities without regulations and Secretary of State consent. WYCA supports this amendment and has set out in its letters to MPs that it can see the benefits for potential simpler routes to franchising powers for places that don't yet have, or may never have, devolved mayoral arrangements. WYCA would be a significant concern if the Bill were diluted through parliamentary process and the 'simpler route to franchising' powers was omitted or diluted.
 - Removing clause 21 of the Bill which prohibited local authorities from establishing companies for the purpose of operating local bus services. WYCA supports this amendment; across the UK, there are a number of good examples where local authority owned bus companies are providing a very effective service. To prevent this option for Authorities would seem to contradict the objective of the Bill to enable local determination of bus services. Whilst WYCA is not currently considering forming a bus company; there could be situations in the future where it may be necessary to start up a bus company. These may include creating an 'operator of last resort' where no other company is able to serve an area. A local authority owned bus company may also be necessary to facilitate a community transport service. West Yorkshire Combined Authority supports the exclusion of this clause.
- 2.12. To date, two letters have been sent to Leeds City Region MPs by West Yorkshire Leaders and the Chair of WYCA Transport Committee and reported to Transport Committee. On-going dialogue with local MPs around the Bill will continue to be important as the parliamentary scrutiny progresses.
- 2.13. The ability to access all the proposed new powers through the Bus Services Bill is fundamental to enabling bus patronage to grow. It is therefore critical that the Bill continues in its current form through the parliamentary process.
- 2.14. On 8 February 2017, DfT published consultation documents seeking views on some key regulations and guidance associated with the Bus Services Bill. The consultation runs until Tuesday 21 March 2017 and it is proposed that WYCA develop and submit a response to the consultation.

Short -Medium Term Bus Strategy Development Programme

- 2.15. In March 2015, Transport Committee approved expenditure of £1.1m to develop the WYCA Bus Strategy. This funding has enabled the following:
- In partnership with bus operators and district authorities, development of a new strategy, vision and ambition for the Bus System, which supports the delivery of the Strategic Economic Plan, the West Yorkshire Transport Strategy and Leeds Transport Strategy. This now provides the foundation for considering 'how' to deliver the Bus Strategy;
 - Creation and implementation of the Bus18 partnership initiative;

- Influencing the specification and shape of the bus component of the Leeds Strategic Outline Case submission, with bus investment forming the majority of the £270m package;
 - Development of initial Business Case technical work, aligned to the anticipated Bus Services Bill guidance, considering at a high level the options for delivery of the Bus Strategy;
 - Informing, shaping and influencing the shape of the Bus Services Bill; and
 - Raising the profile of the West Yorkshire Bus System and how it can support economic growth across the Region. This has led to a number of other authorities learning best practice from the approach we have taken.
- 2.16. However over this period, the context and situation for developing the Bus Strategy has changed:
- Following the Nexus Quality Contract judgement, the current Transport Act powers to influence bus services are no longer fit for purpose;
 - A more collaborative approach has been developed with bus operators through the Bus 18 initiative which is now moving into delivery;
 - The £71m contribution made by First West Yorkshire to accompany the Leeds Strategic Outline case put to Department for Transport in December, was highlighted as being contingent on using best endeavours to make partnership work.
- 2.17. As a result of this changing context, it is proposed that WYCA focus all efforts on delivering short-medium term improvement to the bus system through the Bus18 and other partnership opportunities. This position may change when:
- The Bus Services Act, secondary legislation and final versions of guidance are available;
 - The position regarding devolution for the region is clarified; and/or
 - Performance of the current partnership can be monitored to determine whether it is delivering the objectives and vision of the Bus Strategy.
- 2.18. Moving forwards, this new Bus Strategy Delivery programme will need to take account of financial pressures facing WYCA and the bus industry and focus on:
- Finalising the Bus Strategy vision and objectives document, as set out above;
 - Proposing to operators that the Bus 18 partnership be built upon and expanded;
 - Develop a series of small/ medium sized bus priority/hotspot interventions, which further the objectives of the Bus 18 initiatives across West Yorkshire;
 - Undertake a series of bus network reviews across West Yorkshire to inform future bus network decisions by operators and WYCA and District Highway Authorities. This work will look at whether the current service provisions are well aligned with current and future travel demands, the changing economy and social/demographic movement.

- Continued liaison with the Department for Transport and UTG around the development of the Bus Services Bill, including pushing for all of the powers identified in the Bill being available to this region.

3. Financial Implications

- 3.1. The LTP3 IP3 programme report (item 9) sets out an allocation of £500k for financial year 2017/18, to enable development of the tasks identified for the forward Bus Strategy Delivery Programme, with further allocations identified for future financial years.

4. Legal Implications

- 4.1. Formal legal partnership options with First West Yorkshire and other bus operators for the Bus18 partnership and the Leeds Strategic Outline Case will be brought to Transport Committee for consideration at subsequent meetings.

5. Staffing Implications

- 5.1. The proposed Bus Strategy Delivery Partnership will in part be resourced from existing WYCA teams but will also require additional resource, which would be funded from the LTP3 IP3 allocation.

6. External Consultees

- 6.1. None as a result of this report.

7. Recommendations

- 7.1. To note the next steps following the public consultation on the Bus Strategy.
- 7.2. To note the latest update on the Bus Services Bill.
- 7.3. To endorse the draft position regarding the House of Lords Amendments around the Bus Services Bill as outlined in Appendix 1.
- 7.4. To endorse the proposed Bus Strategy Partnership Delivery Programme.

8. Background Documents

Appendix 1 – Proposed WYCA Position regarding House of Lords Key Amendments

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The following amendments were made in the House of Lords and are supported by the Government:

- An amendment which will require bus operators to provide audio and visual information, such as next stop announcements, on buses in Great Britain. We believe that by placing a requirement on operators to provide certain information rather than to install specific equipment, we will ensure that the needs of passengers are met within years, not decades. **It is proposed that WYCA Transport Committee supports this amendment.**
- The Government's intention is that these powers will be used to require operators to provide specified information about the name or other designation of the local service; the direction of travel; stopping places; diversions; and terminating locations on board a bus in an audio-visual format. Regulations will also enable provision to be made about how and when information is made available with a view to maximizing benefit to passengers. **It is proposed that WYCA Transport Committee supports this amendment.**
- Amendments making Transport Focus, the National Parks Authorities and the Broad Authorities consultees for all schemes; and adding the Competition and Markets Authority as consultees for franchising schemes (they were already for partnerships). **It is proposed that WYCA Transport Committee supports this amendment.**
- Amendments requiring local authorities to set out how they plan to consult passenger representatives throughout the life of franchising and partnership schemes. **It is proposed that WYCA Transport Committee supports this amendment.**
- An amendment to enable emissions standards to be included as one of the standards of franchising or partnership schemes. **It is proposed that WYCA Transport Committee supports this amendment.**

The following amendments were made in the House of Lords, but are not supported by the Government:

- Giving the Secretary of State the ability to confer functions to enforce traffic offences on authorities that establish advanced quality partnerships. This would give Local Transport Authorities promoting an Advanced Quality Partnership Scheme the power to enforce all moving traffic offences within the scope of the scheme. These would grant local authorities powers to enforce and issue penalty charges for – offences such as disregarding one-way systems, failing to give priority to ongoing traffic, or disregarding box junction markings. These powers are in place in London under separate legislation. **As this would strengthen the ability to enforce bus priority measures, it is proposed that WYCA Transport Committee supports this amendment as put forwards by the House of Lords.**
- Specifying that all new buses used to provide services in areas where partnership or franchising schemes have been established must qualify as 'low emission buses' according to the criteria Government set out when awarding funding as part of the Low Emission Bus competition. **It is proposed that WYCA Transport Committee supports the principle of moving towards low emissions vehicles and improving air**

quality but that the specification of the requirements should be agreed locally, to reflect local priorities and therefore it should not be specified as a requirement in the legislation.

- Requiring trade unions rather than 'employee representative groups' to be statutory consultees for franchising and partnership schemes. **It is proposed that WYCA Transport Committee supports engagement with both Trade Union and Employee representative groups.**
- Opening the access to franchising powers to all local authorities without regulations and Secretary of State consent. **It is proposed that WYCA Transport Committee supports the amendment as put forwards by the House of Lords. This is covered in further detail earlier in the report.**
- Removing clause 21 of the Bill which prohibited local authorities from establishing companies for the purpose of operating local bus services. **It is proposed that WYCA Transport Committee supports the amendment as put forwards by the House of Lords. This is covered in further detail earlier in the report.**