

WEST OF ENGLAND COMBINED AUTHORITY (“WECA”)

DATE: 15 MARCH 2017

WEST OF ENGLAND COMBINED AUTHORITY TRANSPORT DELIVERY

Purpose of Report

1. Following the making of The West of England Combined Authority Order 2017 (“WECA Order”), The West of England Combined Authority (“WECA”) came in to force on 9th February 2017. The West of England Combined Authority Order devolves certain powers to the West of England Combined Authority and makes provision concerning the constitution of the West of England Combined Authority and the conduct of its business. West of England Combined Authority is now constituted as a separate legal body and in order for it to operate lawfully the members of West of England Combined Authority are required to consider and make decisions (as necessary) on certain key issues of business.

Issues for Consideration

2. This report deals with the following items of business, each has a corresponding recommendation:-

Content	Recommendation	Appendix if applicable
Approval for the delivery of West of England Combined Authority transport functions in 2017/18	Recommendations 1-4	
Endorsement of the use of joint transport powers in 17/18 by the constituent councils and delegation of authority to the CEO/Monitoring Officer to endorse urgent amendments on behalf of the West of England Combined Authority	Recommendation 3	Appendix A
Approval of the concessionary travel policy delegation to the West of England Combined Authority Chief Executive to enter into the necessary agreements to achieve this.	Recommendation 2	
Approval of the making of the MetroBus Quality Partnership Schemes (QPS) and the signing of Voluntary Partnership Arrangements (VPA) with participating operators, authorising Bristol City Council and South Gloucestershire Council to implement	Recommendation 4	

Background

3.1 From the date the West of England Combined Authority came in to force certain functions transferred to it by operation of law. These functions primarily relate to transport operations and services, including, Concessionary Fares, Community Transport Grants and Local Bus information (including Real Time Information (RTI)). It is critical that appropriate arrangements are made with the constituent councils which facilitate the continued delivery of these functions and services from the date of the creation of the West of England Combined Authority and for the financial year 2017/18.

3.2 It is proposed that the operation of all services which on the coming into force of the West of England Combined Authority, became the responsibility of the West of England Combined Authority and which are subject to existing arrangements, shall be undertaken in accordance with the existing arrangements on behalf of the West of England Combined Authority, up to and for the financial year 2017/18. Thereafter the West of England Combined Authority shall determine how the functions are to be discharged. The Monitoring Officer has been given delegated authority to enter in to any agreements, including any inter-authority agreements as required to ensure all services which became the responsibility of the West of England Combined Authority continue to operate on behalf of the West of England Combined Authority in accordance with current arrangements until the end of the 2017/18 financial year.

The Issues

Community Transport

4.1 West of England Combined Authority is now responsible for the payment of community transport grants. The 3 councils currently commission community transport slightly differently through a combination of Service Level Agreements and the payment of grants. These services are a key part of the transport network, especially for those most vulnerable and are often delivered through community groups. The authorities have recently been considering Community Transport provision in the wider context and this will need to be reviewed by West of England Combined Authority for post 2017/18 delivery.

4.2 Given the need to ensure a consistency of service for the user and to give certainty of payments to community groups, it is proposed that in 2017/18 West of England Combined Authority commissions the 3 councils to continue to deliver these services in line with current arrangements. The budgets required are identified in the Budget Report also on the agenda for this meeting.

4.3 It is proposed that the role of community transport and the delivery mechanism is reviewed for future years.

Concessionary Travel

4.4 West of England Combined Authority is now the Travel Concession Authority for the West of England Combined Authority area and therefore has a statutory requirement to deliver the minimum statutory national Concessionary Travel scheme, providing free travel for eligible residents from 09.30 to 23.00 Monday to Friday and all day travel on weekends and bank holidays. In order to ensure the consistent delivery of this statutory obligation, it is proposed that the Diamond Travelcard scheme be continued and be delivered as it is currently in 2017/18.

4.5 The payment of operators and the back office system is managed by South Gloucestershire Council (SGC) on behalf of the 4 authorities, including North Somerset Council (NSC), with each individual authority undertaking to issue their own Diamond cards and to assess the eligibility of their residents for the time being.

4.6 It is proposed that agreements are put in place for West of England Combined Authority to commission the 3 councils to deliver the concessionary fares scheme for 2017/18 on behalf of West of England Combined Authority, in line with the principles of the previous inter authority agreement. This will need to be reviewed for future years.

Non – Statutory Enhancements

4.7 The councils currently deliver, or will be delivering by the end of March 17, non-statutory enhancements as follows:

	B&NES	BCC	SGC
Travel from 09.00 to 09.30 Mondays to Fridays			
Travel from 23.00 to 04.00 Mondays to Fridays			
Issuing and acceptance of companion passes			
All-day travel for persons registered blind			
Discounted travel on community transport			

4.8 It is considered that having a consistent scheme over the West of England Combined Authority area would be the optimum solution for 2017/18 in order to ensure that all West of England Combined Authority residents are receiving a consistent and equitable service from the West of England Combined Authority concessionary travel scheme.

4.9 In order to introduce a scheme consistent with the current maximum across the WECA authorities B&NES would have to introduce an all-day concession for persons registered blind. Whilst costing this is not an exact science, as it will depend on the number of blind people living and travelling in B&NES, it is helpful to consider that this costs BCC around £9k per annum. It is unlikely that introducing this in B&NES would cost more than this. It would not be possible for this to be in place immediately, though this could be implemented during 2017/18.

4.10 It is recommended that West of England Combined Authority approve the introduction of all-day travel for the blind in B&NES to ensure a move towards an equitable scheme and that authority be delegated to the West of England Combined Authority Chief Executive to enter into the necessary agreements to achieve this.

Bus Services

4.11 The West of England Combined Authority now has joint powers for the provision of socially necessary bus services with the constituent councils. This means that both West of England Combined Authority and the constituent councils can use the relevant powers in the Transport Act 1985 with the approval of the other organisation but cannot use the powers unilaterally. Despite this, the nature and role of these services will need to be considered through the development of the bus strategy which is a West of England Combined Authority responsibility to progress.

4.12 The 3 councils currently support a significant number of socially necessary bus services and a proportion of those contracts expire in 2017/18. It is proposed that services that are due to be re-tendered in 2017/18 should be done for the shortest period possible, where possible with an annual extension or arrangements/contracts with break clauses.

4.13 Appendix A contains a full list of the services that the 3 councils plan to support in 2017/18. It is proposed that West of England Combined Authority approve these services for 2017/18, for delivery by the relevant constituent council.

4.14 The bus market is a flexible system within which operators may choose to change or de-register services with eight weeks notice. In order that the councils can react to these changes quickly, it is proposed that authority be delegated to the West of England Combined Authority Chief Executive to approve urgent contract changes and report back to the next West of England Combined Authority Committee should there not be a scheduled West of England Combined Authority Committee meeting. If appropriate the West of England Combined Authority Chief Executive will consult with members of West of England Combined Authority Committee prior to exercising the delegation.

Bus Information and Real Time

4.15 West of England Combined Authority is now responsible for the production of a bus information strategy and the provision of bus information. Real Time Information (RTI) and the TravelWest website are currently managed by Bristol City Council (BCC) on behalf of 4 councils (including North Somerset). BCC are currently leading on the procurement of a new RTI contract on behalf of the 4 councils.

4.16 Production and updating of roadside timetable displays, data verification, local management of Traveline (SWPTI) and publicity leaflets for contracted bus services are functions carried out by the individual councils currently.

4.17 Given the need to ensure a consistency of service provision to the users of these services it is proposed that the 3 councils be commissioned to continue to deliver these services in 2017/18 and that BCC continues to lead on the re-procurement of the RTI contract. As part of this process, and in order to ensure service continuity, it is necessary to extend the current contract arrangements by up to 6 months. Future RTI contract arrangements will need to be considered during 2017/18.

Quality Partnership Agreements

4.18 There is currently a number of Quality Partnership Schemes (QPS) in place across the West of England area. Upon its creation, West of England Combined Authority has the powers available in Part 2 of the Transport Act 2000 to enter into QPS arrangements within the West of England Combined Authority area. It is recognised that West of England Combined Authority has the responsibility for QPS arrangements and will have a role in the further negotiation of existing contracts.

MetroBus

4.19 The three MetroBus schemes encompass over £200m of capital funding in the West of England economy, invested in new transport infrastructure, and bus passenger facilities, ticketing and information across Bristol, South Gloucestershire and North Somerset, as well as complementary cycling, walking and public domain improvements. The schemes are being promoted, delivered and funded by Bristol City, North Somerset and South Gloucestershire Councils, together with £113 million funding support from the Department for Transport, as well as contributions from developers and businesses including Bristol Airport.

4.20 The procurement strategy for the provision of MetroBus services involves the registration of services by bus operators on a commercial basis, under existing local transport legislation. In consultation with bus operators, MetroBus has developed a Quality Partnership Scheme (QPS) to specify how the services are to be provided. The QPS, which is to be 'made' by the councils and the West of England Combined Authority, sets the quality criteria which need to be met by operators in order to access MetroBus infrastructure, as well as those to be met by the local authorities in maintaining the infrastructure.

4.21 These criteria include vehicle and emission standards, minimum frequencies, maximum fares, and smart and integrated ticketing obligations. The QPS also sets out the MetroBus facilities, particularly significant bus priority infrastructure, which MetroBus vehicles will be entitled to use.

4.22 The QPS is supported by a Voluntary Partnership Agreement (VPA). The VPA will be entered into by delegated representatives of the participating councils, the West of England Combined Authority and operators, and forms a legally binding agreement to commit operators to meeting and maintaining the service standards set out in the QPS.

4.23 Members of the West of England Joint Transport Board (JTB) agreed in January 2016 to proceed with the making of the QPS. Since then, operator intentions have been further clarified and are close to being confirmed, and the QPS is now scheduled to be made during March 2017. It is recommended that West of England Combined Authority approves the making of the QPS and delegates responsibility to South Gloucestershire Council to authorise on behalf of West of England Combined Authority and the constituent councils.

Consultation

4.24 Significant informal discussions have been held with potential MetroBus operators over several years leading to the drafting of the QPS. Operators subsequently submitted formal Expressions of Interest in providing MetroBus services in response to a formal advertisement in the trade press.

4.25 Development of the QPS has been undertaken in conformance with requirements and recommendations contained within relevant current legislation and statutory guidance. In particular:

- Formal notice has been published;
- Consultation complying with statutory guidance has been undertaken; and
- No 'Admissible Objections' by 'Relevant Operators' (terms as defined in legislation) to the proposals within the QPS in relation to maximum fares and minimum frequencies have been received; and no objections to the inclusion of Facilities more than 5 years old have been received.

4.26 A formal Notice of making will be published within 14 days of scheme making.

Options

Delivery Options

5.1 When considering the delivery mechanisms for community transport, concessionary travel and bus information the following options were considered:

- Delivery in a 'Business as Usual' way by commissioning service delivery from the constituent councils; and
- Changes to the current delivery mechanism by delivery by West of England Combined Authority or third parties.

5.2 On balance, given that the West of England Combined Authority came into being on the 9th February, any options for changing this delivery model have been ruled out because of the need to provide consistent services and the lead in time required to put into place amended delivery arrangements for year 1.

Supported Services

5.3 As this is a joint power, West of England Combined Authority has the following options when considering the provision of supported bus services:

- To endorse the plans of the constituent councils
- Not to endorse the plans of the constituent councils
- To consider supporting bus services directly.

5.4 Given the timescales, the need to enable the delivery of socially necessary bus services and the absence of a centrally agreed bus strategy, options 2 and 3 are not considered workable for the first year of the West of England Combined Authority.

Financial Implications (including implications eg VAT)

6.1 The financial implications of the arrangements covered by this report are detailed in the Budget Report. The detailed budget report is provided for this meeting of the West of England Combined Authority.

Tim Richens, Interim Chief Financial Officer – Tel: 01225 477468

Legal Implications

7. The West of England Combined Authority Order 2017 came in to force on 9th February 2017. This report gives effect to the provisions for the West of England Combined Authority Order 2017.

John McCormack – Interim Monitoring Officer – 01454 865980

Human Resources Implications

8. There are no significant human resources implications directly related to the contents of this report.

Environmental Implications

9. The report sets out measures to ensure the continued delivery of a number of functions which have now passed to the West of England Combined Authority. These are around community transport, concessionary travel, bus services, quality partnerships and bus information which seek to promote the use of sustainable modes of transport and therefore have a positive impact environmentally.

Social Implications

10. The continued operation of supported bus services and community transport are critical to helping promote social inclusion and enable residents, particularly those who are vulnerable to access work, education and leisure facilities.

Economic Implications

11. None arising directly from this report.

Equality Impact Assessment

12.1 The obligations in relation to the public sector equalities duty under section 149 of the Equality Act 2010 (PSED) have been assessed and it has been concluded that the immediate decisions primarily relate to the arrangements that are required to be in place to enable the West of England Combined Authority Order to be lawfully implemented. In respect of the recommendations to deliver existing operations on a consistent basis across the area, there are decisions that could be deemed to impact on the rights of groups or individuals with a protected characteristic or others protected under the PSED. In so far as this report relates to decisions affecting those services, the recommendations are that current arrangements are maintained or in the case of the Concessionary Travel Scheme, enhanced.

12.2 As a body exercising public functions, West of England Combined Authority is under an obligation to have regard to the PSED when exercising its functions. As the West of England Combined Authority establishes its own policies and takes decisions relating to the discharge of functions for which it has responsibility, these will be subject to the PSED.

12.3 The West of England Combined Authority understands its Public Sector Equality Duty (PSED) obligations under section 149 of the Equality Act 2010 and will ensure that it complies with its PSED obligations.

John McCormack – Monitoring Officer – 01454 865980

Risks, Mitigations & Opportunities

13. This report enables West of England Combined Authority to ensure that it is delivering the functions conferred by The West of England Combined Authority Order 2017 (“WECA Order”) and is able to act in accordance with those provisions.

RECOMMENDATION

14. It is recommended that:

1. Authorisation be delegated to the Monitoring Officer to enter into the necessary agreements to commission the delivery of community transport, bus information and Real Time Information, and concessionary travel as outlined above.
2. That Members approve the proposed change to the concessionary travel scheme to include all-day blind concessions in B&NES and that authority be delegated to the West of England Combined Authority Chief Executive to enter into the necessary agreements to achieve this.
3. That Members endorse the list of bus services as set out in appendix A for delivery as a joint power by the constituent councils.
4. That members approve the making of the MetroBus Quality Partnership Schemes and the signing of Voluntary Partnership Arrangements with participating operators and that Bristol City Council and South Gloucestershire Council be authorised to implement the same on behalf of West of England Combined Authority.

Author

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Background Papers

None

Appendices

Appendix A – Supported Bus Services and Park & Ride Services for 2017/18

Supported Bus Services for 2017/18

This appendix confirms all of the bus services that have approval for operation in 2017/18 by the constituent councils.

It is these services that require endorsement by West of England Combined Authority as a joint power.

UA	Service	Description
B&NES	17	Southmead – Keynsham (daily)
B&NES	20A & 20C	University of Bath circular (Mon – Fri)
B&NES	20A & 20C	University of Bath – Twerton (Mon – Fri)
B&NES	20A & 20C	University of Bath - Twerton (Mon – Fri eve peak)
B&NES	20A & 20C	University of Bath circular (Sat)
B&NES	67	West Harptree – Bristol (Mon – Fri)
B&NES	82	Paulton – Radstock (Mon - Fri)
B&NES	172	Bath – Paulton (Mon – Sat evenings)
B&NES	172	Bath – Paulton (Sun & PH evenings)
B&NES	177	Midsomer Norton – Bristol (Mon-Fri)
B&NES	179	Bath - Writhlington (daily)
B&NES	179	Bath – Writhlington (Mon-Sat evenings)
B&NES	185	Clutton – Trowbridge (Thurs)
B&NES	267	Bath – Frome (Mon – Sat evenings)
B&NES	636,640	Hengrove/Bishop Sutton – Keynsham (Fri)
B&NES	636,757	Hengrove – Keynsham / Odd Down – Midsomer Norton (Weds)
B&NES	636,668	Hengrove – Keynsham / Camerton – Bristol (Mon)
B&NES	663, 664, 665	Keynsham local services (Mon – Sat)
B&NES	672	Bristol – Blagdon (Mon – Sat)
B&NES	672	Bristol – Blagdon (Mon – Fri evening peak)
B&NES	683	Keynsham – Wells (Tues)
B&NES	700, 716, 734, 779	Bath city services (Mon – Sat)
B&NES	701	Lower Bristol Road – Sion Hill (University terms)
B&NES	752	Hinton Blewett – Bath (Weds)
B&NES	754	Hinton Blewett – Radstcok (Mons)
B&NES	768	Clutton – Bath (Mon – Fri)
B&NES	768	Bath – Writhlington (Mon – Fri)

B&NES	A4	Journey via Chandag Estate(Mon – Fri early morn)
B&NES	RA3 & RA4	Green Park – Ralph Allen School (school days)
B&NES	FareCar 1	Langridge FareCar shared taxi service
B&NES	FareCar 2	Wellow FareCar shared taxi service
B&NES	PARK & RIDE	Park & Ride Services
B&NES	620	Old Sodbury – Bath (Mon – Sat)
B&NES	94	Trowbridge – Bath (Mon –Fri)
B&NES	265	Bath – Warminster (Mon – Sat evenings)
B&NES	265	Bath – Warminster (Sun & PH)
BCC	1	Broomhill to Cribbs Causeway (Mon-Sat evenings)
BCC	2	Stockwood to Cribbs Causeway (Mon-Sat evenings)
BCC	5	The Centre to Downend (Mon-Sat mornings)
BCC	5	The Centre to Downend (Mon-Sat evenings)
BCC	5	The Centre to Downend (Sundays)
BCC	6	The Centre to Kingswood (Mon-Sat evenings)
BCC	7	The Centre to Staple Hill (Mon-Sat evenings)
BCC	18	Henbury to Lyde Green (Mon-Sat evenings)
BCC	18	Henbury to Lyde Green (Sundays)
BCC	18A	Avonmouth to Lyde Green (Saturdays)
BCC	24	Ashton Vale to Southmead Hospital (Mon-Sat evenings)
BCC	36	The Centre to Hengrove Park (Mon-Sat evenings)
BCC	36	The Centre to Hengrove Park (Sundays)
BCC	50	The Centre to Hengrove Park (Mon-Sat evenings)
BCC	90	Broadmead to Hengrove Depot (Mon-Sat evenings)
BCC	77	The Centre to Southmead Hospital (Mon-Sat)
BCC	902	Portway Park and Ride to The Centre (Mon-Sun)
BCC	904	Brislington Park and Ride to The Centre (Mon-Sun)
BCC	903	Long Ashton Park and Ride to The Centre (Mon-Sat)
BCC	17	Keynsham to Southmead Hospital (Mon-Sat evenings and Sundays)
BCC	52	Broadmead to Hengrove Park (Mon-Fri)
BCC	515	Stockwood to Imperial Park (Mon-Sat)
BCC	505	Long Ashton Park and Ride to Southmead Hospital (Mon-Sun)
BCC	506	Southmead Hospital to Create Centre/Broadmead (Mon-Sat)
BCC	508	Shirehampton to Southmead Hospital (Mon-Sat)

BCC	511	Hengrove to Bedminster (Mon-Sat)
BCC	512	Totterdown to Bedminster/Broadmead (Mon-Sat)
BCC	513/514	Knowle to Brislington Village/Brislington Tesco (Mon-Fri)
SGC	16	Hanham to Bristol Parkway Station (Mon-Sat)
SGC	19/19A	Cribbs Causeway to Bath Bus Station (Daily)
SGC	46	Bristol Bus Station – Yate Shopping Centre(Daily)
SGC	77	Thornbury – Bristol City Centre (Mon – Sat)
SGC	84	Yate – Wotton Under Edge via Cromhall (Mon – Sat)
SGC	85	Yate – Wotton Under Edge via Charfield (Mon – Sat)
SGC	86	Yate – Longwell Green (Mon – Sat)
SGC	615	Thornbury Town Service (Mon – Sat)
SGC	620	Old Sodbury – Bath (Mon – Sat)
SGC	622	Chipping Sodbury – Cribbs Causeway (Mon – Sat)
SGC	625	Severn Beach – UWE (Mon – Sat)
SGC	626	Wotton Under Edge – Bristol City Centre (Mon – Fri)
SGC	627	Cribbs Causeway – Thornbury (Sun & Bank Holidays)
SGC	628	Cribbs Causeway – Severn Beach (Sun & Bank Holidays)
SGC	634	Tormarton – Kingswood (Mon – Friday)
SGC	684	Wick – Keynsham (Tues and Thurs only)
SGC	680	Yate – UWE (Term times only)
SGC	948	Pucklechurch – Oldland (School days only)
SGC	963	Patchway – Winterbourne (School Day Only)
SGC	967	South Yate – Brimsham Green (School Days Only)
SGC	6	Bristol City Centre – Kingswood (Daily)
SGC	7	Bristol City Centre – Staple Hill (Daily)
SGC	17	Southmead – Keynsham (Daily)
SGC	18/18A	Emersons Green – Henbury (Daily)
SGC	35	Marshfield – Bristol City Centre (Mon – Sat)
SGC	41	Yate – Malmesbury (Mon – Sat)
SGC	X49	Yate – Bristol City Centre (Daily)
SGC	78/ 79	Bristol City Centre – Thornbury (Daily)
SGC	79	Bath – Tormarton (Mon – Fri)
SGC	82	Southmead Hospital – Yate (Daily)
SGC	228	Bath Circular via Marshfield (Mon – Sat)