



31 October 2013

Agenda Item: 5

**REPORT OF THE SERVICE DIRECTOR – TRANSPORT, PROPERTY &
ENVIRONMENT**

**SENIOR TRAFFIC COMMISSIONER CONSULTATION ON BUS
PUNCTUALITY AND RELIABILITY**

Purpose of the Report

1. To advise Committee of the Senior Traffic Commissioner consultation on bus punctuality and reliability.
2. To seek approval to submit a response to the consultation.

Information and Advice

3. The Senior Traffic Commissioner has recently issued draft guidance on bus punctuality and reliability for consultation, with a response deadline of 13th November 2013.
4. The provision of high quality, affordable, reliable and punctual passenger transport services with supporting information at all stages of the journey are essential for the travelling public, which transport operators, local authorities and other partners recognise and seek to deliver.
5. Nottinghamshire County Council supports the provision of a high quality and reliable bus network through partnership arrangements with operators including a Statutory Quality Bus Partnership (SQBP) for Mansfield. The Council also manages the provision of printed and internet timetable information and high quality bus stops including bus shelters with timetables and 'real time' displays.
6. The Traffic Commissioners are the body responsible for monitoring local bus service operators and can take punitive actions against bus operators and local authorities who fail to deliver services.
7. In August the Senior Traffic Commissioner for Great Britain, published a consultation on draft statutory guidance and statutory directions covering local bus services. The document sets out what traffic commissioners should expect from operators who run registered bus routes and revises the standards expected for reliable and punctual services.

8. The Senior Traffic Commissioner also makes clear reference to the responsibilities on local authorities, local bus partnerships and the expectations on the Vehicle and Operator Services Agency (VOSA).
9. Additionally, the consultation proposes revisions to financial penalty levels where operators fail, without a reasonable excuse, to operate a local bus service, or do not run a registered service according to the timetable.

The Current Role of the Traffic Commissioner

10. The Traffic Commissioner's role includes the following:
 - Ensuring that operators meet the window of tolerance which is currently 'no more than 1 minute early or 5 minutes late for 95% of the services operated'
 - Ensuring that all registered journeys operate according to the published timetable
 - Ensuring that operators comply with applicable Statutory Quality Bus Partnership (SQBP) quality standards
 - Fining bus operators for non-compliance and in extreme cases revoking their operating licences. Operators appeal against fines and will in many cases cite highways network management issues, often related to road works, as the main reason for non-compliance. In these cases the Local Authority will also be required to attend any enquiry called by the Traffic Commissioner.

Consultation Proposals

11. The main proposals in the consultation document are as follows:

For registered local bus services, it proposes a significant toughening up of standards with

- No tolerance for early running by removing the one minute early running allowance
- Requirement on operators to keep full and proper records of the running of their services to show compliance/otherwise. As a general principle bus operators will be expected to keep records to show that there is proper monitoring of all their services and not merely an audit of them.
- Expectation that operators will have systems in place to act in addressing punctuality. It reasserts the importance of having an established, audited and effective system not only to continuously monitor performance, but also to take swift action to resolve problems.
- A desired punctuality target of 95% is recommended by the Traffic Commissioner

For Local Transport Authorities (LTA) there are specific requirements:

- Directing that LTAs regard buses as an 'essential public service' that should be given priority over all other forms of road traffic
- That LTAs will enter into exacting agreements with bus operators on the management of road works and its implications for bus operation, giving bus services priority during road works

- Establish a full and regular dialogue with operators to ensure that they receive advance notification of planned road works wherever possible
- Provide bus operators with detailed, frequent, clear and advanced information and formal notice about emergency and programmed works on the highway
- Provide full and detailed evidence of partnership working with the relevant operators on reliability and punctuality, including the development and implementation of joint action plans to deliver high standards
- To share partnership reports with the Traffic Commissioner on the levels of punctuality and reliability on which performance was benchmarked and any progress reports. They will ensure that they understand what actions the partnerships are proposing to meet their targets and can assess whether the actions have been taken and the progress being made
- To have regular and effective liaison meetings to discuss concerns and review the plan to ensure that it remains appropriate

The above requirements of the LTA need careful consideration, particularly in relation to the Traffic Management Acts and other road traffic priorities.

12. A number of aspects of the proposals would seem more difficult to achieve:

- Operators to retain records of service compliance for all services, and not just occasional audits and to set up systems to collect information on delays to each journey, although the roll-out of automatic vehicle location by major operators should make this easier
- Recording all points of delay on a journey
- The inclusion of arrival times at stops as well as departure times has debateable merit. The rail industry does not promote arrival times at stations
- The requirement to produce a programme of continuous improvement will increase operator costs which may jeopardise future service sustainability
- Buses should be given priority when incidents occur by being classified by local government as an essential public service with priority over other forms of transport. This will need further discussion with the County Council's Traffic Manager to determine what is practical and achievable in the light of other demands on the road network

The Council will consider these matters further if the guidance is approved.

Current Arrangements for Tackling Bus Punctuality and Reliability in Nottinghamshire

13. Overall the document is looking to strengthen partnership working to address bus punctuality. In Nottinghamshire there are already strong partnerships in place and we already meet the majority of the requirements:

- A Statutory Quality Bus Partnership (SQBP) is in place for Mansfield and the continued roll out of similar arrangements in other parts of the County will support the Traffic Commissioners proposals.
- A Punctuality Improvement Plan (PIP) for Greater Nottingham acts as a framework for improvements in this area. The current PIP does not reflect current city centre

management arrangements and emerging technologies that support improvements in punctuality i.e. Real Time tracking, so the PIP would need to be refreshed in light of these proposals.

- Regular North Nottinghamshire and Greater Nottingham Quality Bus Partnership meetings to exchange information and improve services
 - Quarterly 'one on one' meetings with operators to discuss punctuality and take appropriate actions as required
 - Regular contract monitoring and review meetings with operators to ensure supported bus services meet the Traffic Commissioner requirements
 - Roadwork's notification to operators within the requirements of the Traffic Management Act and adopting best practice
 - Investment funding for bus priority measures.
14. Investment in real time information including electronic departure displays at bus stops, and smartphone applications together with quality waiting facilities does significantly improve the customer perception of the waiting experience and bus punctuality. Information about any late running services can also be easily communicated. Online access to roadwork maps also assists operators in effectively planning their services.

Proposed Consultation Response

15. Nottinghamshire County Council supports the Traffic Commissioner proposals in principle but should ask the Traffic Commissioner to consider the following:
- Strengthen the requirements of the bus operators to share all Automatic Vehicle Location data with local authorities in order to inform future action plans for each route
 - Support the proposals for the bus to be given priority through roadworks where possible to minimise disruption for passengers, but ensure this is where it is 'reasonable' taking into account Traffic Management costs for the Council and disruption to other road users
 - To consider further those areas that are considered more difficult to achieve as set out in paragraph 10 of this report.
16. Whilst there is good intent the guidance overall seems somewhat unfocussed and unclear on the ability of the Traffic Commissioner to continually monitor, act and enforce local bus services.
17. It is suggested that there might be a case for turning the guidance around slightly and it commit the Traffic Commission to:
- Engage with each LTA to a given standard and provide details of this regular engagement process
 - Monitor local bus operations and LTA work at a statistically valid level
 - Demonstrate a full understanding of local partnership arrangements, and protocols (or equivalents) for roadworks

- Demonstrate clarity on the specific continuous actions it will take on both sides for any operator/LTA who does not adhere to the guidance
- Demonstrate how this work will interact with passenger focus work and with the local travelling public
- Allow locally determined standards and a devolved locally agreed registration and enforcement process
- Why a local incentive based scheme would not be more practical than the current crude 'penalty' process

Reason for Recommendation

18. The recommendations in this report will strengthen the current arrangements with bus operators therefore improving the quality of public transport provision in Nottinghamshire in line with the strategic plan objective of increasing satisfaction with the local bus service.

Statutory and Policy Implications

19. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

19. None

RECOMMENDATIONS

- 1) Note the draft guidance from the Senior Traffic Commissioner on improving bus punctuality and the work currently being undertaken by the local bus operators and the Council to improve punctuality and reliability of bus services.
- 2) The Service Director of Transport, Property and Environment in consultation with the Chair of the Committee approve the detailed response to the consultation supporting the Traffic Commissioner proposals

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For any enquiries about this report please contact:

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Constitutional Comments (NAB 10.10.13)

21. Transport and Highways Committee has authority to consider and to approve the recommendations set out in this report and to delegate recommendation 2 to the Chair of the Committee by virtue of its terms of reference.

Financial Comments (TMR 15/10/2013)

22. There are no immediate financial implications as a result of this report.

Background Papers

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

STC Guidance – August 2013

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/229995/local-bus-services-statutory-document.pdf

Electoral Division(s) and Member(s) Affected

Countywide