

**SWALE JOINT TRANSPORTATION BOARD
12 DECEMBER 2011**

- Subject:** Quality Bus Partnership in Swale
- Director/Head of Service:** Director, Highways & Transportation, KCC
- Decision Issues:** None
- Decision:** Non-key
- Ward/Division:** All in Swale
- Summary:** This report proposes the establishment of a Quality Bus Partnership in Swale
- To Recommend:** Members of the Swale JTB are asked to approve the following:
- (i) To recommend that the KCC Cabinet Member for Environment, Highways & Waste and the SBC Executive Member for Regeneration jointly approve the establishment of a Swale Quality Bus Partnership in the form of a Voluntary Partnership Agreement, as provided in the Transport Act 2000 and the Local Transport Act 2008;
 - (ii) To recommend that the local bus operators Arriva and Chalkwell, together with other companies operating KCC supported bus contracts, be formally approached to join the new Swale Quality Bus Partnership on the basis set out in this report;
 - (iii) To recommend that the agreement, once approved by all parties, be signed by a representative of each of them during March 2012;
 - (iv) To recommend that the new Swale Quality Bus Partnership commences on 1 April 2012 with its first meeting to be held within one month of that date.
- Classification:** This report is open to the public

1. Introduction

- 1.1 This report sets out proposals for the establishment of a Quality Bus Partnership (QBP) in Swale. The agreement, if approved, would be a multi-operator Voluntary Partnership Agreement (VPA) as defined by the Transport Act 2000 and amended by the Local Transport Act 2008.
- 1.2 This report firstly provides a brief explanation of the legislative background to QBPs and sets the context within which a Swale QBP could be delivered, with examples of other successful QBPs in Kent. It then outlines the present provision of bus services in Swale, the bus operators who provide those services, the nature of the commercial and supported bus network, and the possible improvements which a Swale QBP could deliver.
- 1.3 The report also sets out opportunities for developer funding of bus services and bus route infrastructure through grants made by virtue of section 106 of the Town and Country Planning Act 1990, and describes the options for the provision of modern, accurate information for bus passengers. It also explains the reason for the withdrawal of earlier proposals for a Demand Responsive Transport (DRT) scheme in Swale, which would have been funded from the Government's new Local Sustainable Transport Fund (LSTF).

2. Legislative Background to Quality Bus Partnerships and their Operation in Kent

- 2.1 **The Transport Act 2000** established Voluntary Quality Bus Partnerships, enabling Local Transport Authorities (LTAs) such as KCC to enter into partnership agreements with bus operators and district councils. KCC has been in the forefront of developing QBPs during the last decade, each of which has been tailored to the particular transport needs of the district they serve. A QBP is essentially an agreement between the principal bus operator, the LTA and the District or Borough Council. Each partnership aims to bring about significant improvements to the quality of bus services, with the aim of increasing the number of passenger journeys and reducing reliance on travel by car.
- 2.2 This Act established three types of QBP:
- **Voluntary Partnership Agreements** (the KCC model)
 - local authority and bus operator each agree to make improvements
 - can work well where good relationships exist – but relies on mutual cooperation and goodwill
 - no enforcement mechanism
 - **Quality Partnership Schemes** (none in Kent yet)
 - local authorities provide facilities (eg bus stop clearways, raised boarders); operators wishing to use these must meet the “standard of service” specified
 - enforcement powers for traffic commissioners
 - **Quality Contracts** (none in Kent)
 - the regulated London-style “franchising” model

2.3 Following the successful delivery of QBPs throughout the country, the **Local Transport Act 2008** strengthened the powers of the 2000 Act. Voluntary QBPs could now include multi-operator agreements, an essential legislative provision for districts such as Swale with several bus operators. LTAs also had greater authority in the delivery of Quality Partnership Schemes (QPSs). For the first time they could determine the frequency, timetable and maximum fares for a bus route, in exchange for a bus operator having rights over, for example, the use of new bus priority infrastructure. LTAs also had the option of entering Quality Contracts (QCs) with a planned bus network similar to the Transport for London (TfL) model, but so far this option has not been adopted by any LTAs outside London.

2.4 This Act therefore enabled the following enhancements to the provisions of the 2000 Act:

- **Voluntary Partnership Agreements (VPA)**
 - removes Office of Fair Trading (OFT) power to impose fines on bus operators
 - encourages agreements with more than one operator
 - can now include LTA setting maximum fares
 - **Quality Partnership Schemes (QPS)**
 - can now include, in addition to VPAs, LTA setting of frequency, timetable and maximum fares
 - determines LTA obligations (e.g. bus stop clearways)
- Quality Contracts (QC)**
- individual quality contract board determines operator, route, timetable and fares: removal of competition

2.5 **Operation of Existing Quality Bus Partnerships in Kent**

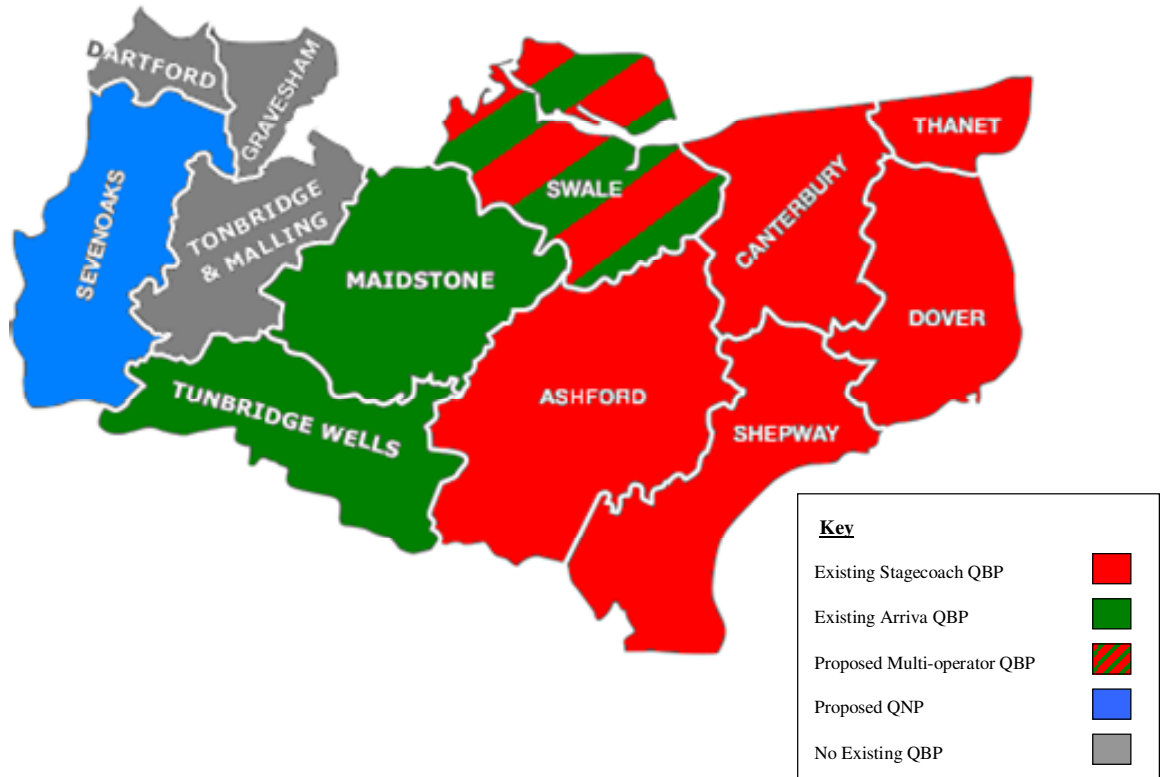
KCC has signed seven QBPs with local bus operators and district councils in Kent: Ashford, Canterbury, Dover, Maidstone, Shepway, Thanet and Tunbridge Wells. There is a longer term aspiration for the delivery of QBPs in the five remaining districts of Dartford, Gravesham, Sevenoaks, Tonbridge & Malling – and Swale, where a multi-operator QBP could use the powers available in the 2008 Act.

To date all of our QBPs are Voluntary Partnership Agreements (VPAs), but we do envisage the longer term development of QPSs in specific areas to reflect new developments in their bus networks. For example, these could be for Fastrack, the high frequency service with sections of dedicated busway and bus priority measures which operates in the Dartford and Gravesham area in north-west Kent; or for the deferred Smartlink bus network planned for Ashford.

The intended outcomes which apply to all of Kent's QBPs can be summarised as follows:

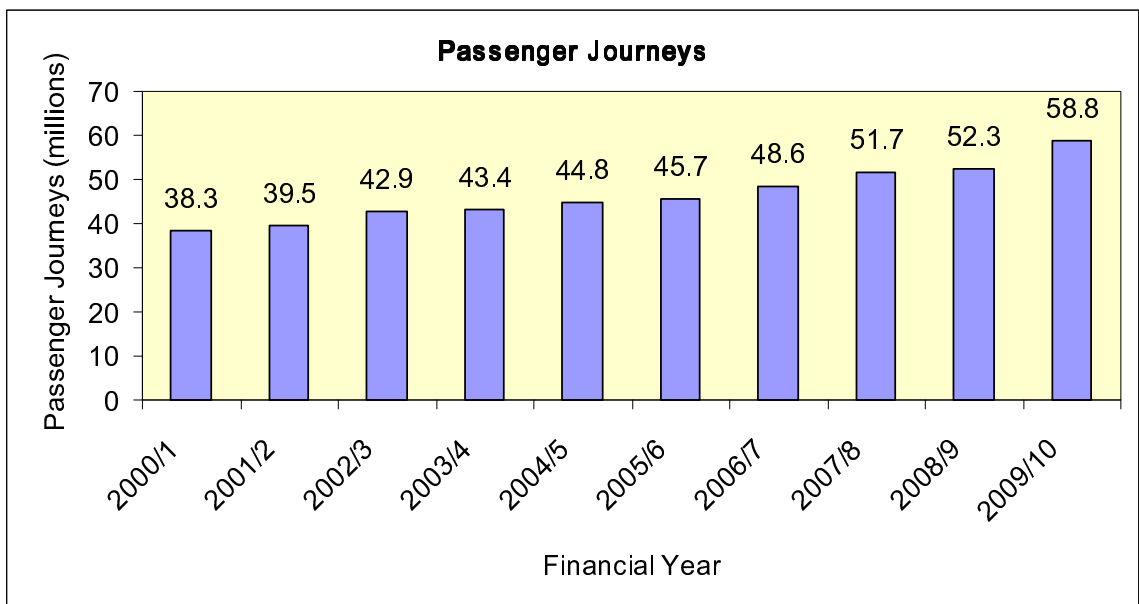
- Better bus services with newer vehicles
- Better access for all with raised boarders, bus stop clearways, more shelters
- Better bus information at bus stops with clearer route maps and timetables
- Fewer car journeys, less congestion and reduced emissions where buses improve.

Existing and Planned Quality Partnerships in Kent



2.6 Passenger Journeys by Bus in Kent

The partnership working which has been developed through the QBPs in Kent between the bus operators, districts and county councils, together with continued investment through KCC's Integrated Transport Programme (ITP), previous Kickstart schemes and developer funded S106 contributions, have combined to deliver a substantial increase in the number of bus passengers carried in the county. The chart below demonstrates this welcome outcome, which bucks the trend (outside Greater London) elsewhere as non-metropolitan counties similar to Kent have seen a relative decline in bus passengers carried.



Each QBP meets every three months, usually at the appropriate district offices. The meeting is chaired by one of the KCC officers responsible for public transport policy, and includes the following representatives from each of the parties to the agreement:

- Bus operator
 - General Manager
 - Commercial Director
 - Operations Manger (for local bus depot)
 - Roadside Infrastructure Manager
- Kent County Council
 - Public Transport Team Leader
 - Transport Integration bus planner (for supported services)
 - Traffic Engineer (for local district)
 - Development Planner (for local district)
- District Council
 - Transport Officer/Traffic Engineer
 - Planning Officer
- At alternate or yearly meetings
 - KCC Cabinet Member for Highways
 - DC Cabinet Member for Transport/Highways

- 2.7 The important point about these meetings is that a QBP is not just a talking shop. It is a living Voluntary Partnership Agreement which meets at regular three-monthly intervals, has accurate minutes taken of its proceedings with actions for which QBP members are accountable, and Working Targets & Reports which determine the measures by which the bus services throughout the district should be delivered. These now include the frequency of service between the principal town in a district and other key destinations, and the percentage of environmentally friendly vehicles in the local fleet measured by use of the most modern Euro-emission designated engines.
- 2.8 Through KCC's ITP, over £250,000 will have been invested in the county during 2011/12, funding raised boarders (to permit easy access to the low-floor buses for wheelchair users, for those whose mobility is impaired, for parents with children in buggies and indeed for all passengers); bus stop clearways to keep stops clear of parked vehicles to enable buses to pull in and out of each stop and to serve it parallel to the kerb; and bus stop poles with flags and timetable cases to provide clear, accurate and easily understood bus route and timetable information at all stops.
- 2.9 Wherever possible the District Council commits itself to provide funding for some new or replacement bus shelters each year, to improve waiting facilities so that bus passengers have the best possible travel experience. This is an important element of the partnership working, and is the primary funding responsibility for the districts. Developer funding for the same purpose is also encouraged wherever possible, but there is a finite amount of available S106 contributions for any given bus route.

2.10 The other key role for which the districts have responsibility is the enforcement of bus stop clearways which, in accordance with the Department for Transport (DfT) Traffic Regulations of 2003, do not require Traffic Regulation Orders (TROs). The enforcement of unlawful parking on bus stop clearways is paramount in ensuring the ability of buses to have access to and egress from the bus stop.

2.11 **How a QBP is Funded**

Each party to a QBP makes a commitment to fulfil its part of the agreement as follows:

- Bus operators fund new vehicles (occasionally as part of a Kickstart scheme) and frequency enhancements
- KCC (capital) funds bus route infrastructure improvements (e.g. bus stop clearways, new poles, raised boarders)
- KCC (revenue) funds QBP support (e.g. passenger surveys)
- DC funds new shelters and enforcement of clearways

3. **Current Bus Network in Swale**

3.1 The majority of the bus network in Swale is operated commercially, primarily by Arriva, which determines its own fares, route network and times of operation. Around 20% of the bus network is supported by Kent County Council (KCC) and operated by Arriva, Chalkwell and some other smaller operators.

3.2 A report outlining future prioritisation of subsidy support for bus services has recently been prepared. This report sets out the existing criteria as access to one or more of the following: education, employment, healthcare and essential food shopping. The aim is to operate with a maximum subsidy of £3 per passenger journey (ppj), and to apply a hierarchy of operating periods: Monday-Friday daytime, Saturday daytime, evening, and Sunday. However, several supported bus services operating in Swale currently have a ppj figure of more than £3, but will continue to operate at least during 2012/13 as their cost is below £5 ppj. In addition two Swale services, route 332 on Schooldays and route 327 on Sundays, will continue to operate during 2012/13 thanks to Member Highway Fund (MHF) support from Swale Central KCC Member Alan Willicombe.

3.3 The total gross expenditure on supported bus services in Swale in 2010/11 was £1,130,889 and the predicted gross figure for 2011/12 is £1,037,800. Supported bus services in Swale are currently:

364, 367	Warden Point-Sheerness-Minster Beach	M-S CHALKWELL
333, 348	Sittingbourne-Bredgar-Faversham-Oare-Luddenham	S CHALKWELL
660	Tankerton-Faversham-Stalisfield	M-S KINGSMAN
662, 664, 666	Lynsted-Faversham-Sheldwich Primary School	SDO CHALKWELL
343, 344, 345	Sittingbourne Town Services	M-S CHALKWELL
666	Faversham-Ashford	M-F KENT TOP TRAVEL
666	Faversham-Ashford	S KENT TOP TRAVEL
333	Faversham-Luddenham School	SDO CHALKWELL
349	Sittingbourne-Great Easthall Farm	S ARRIVA
326, 327	Chatham-Medway Hospital-Rainham-Sittingbourne	M-S CHALKWELL
360	Rushenden-Sheerness-Leysdown	Su ARRIVA
335	Maidstone-Sittingbourne-Faversham-Canterbury	Su STAGECOACH
360/2/3	Rushenden-Sheerness-Leysdown	S ARRIVA
334/341	Sheerness-Iwade-Sittingbourne-Maidstone	M-F ARRIVA
333	Maidstone-Sittingbourne-Faversham	M-S ARRIVA
334	Sheerness-Iwade-Sittingbourne	S ARRIVA
333, 334	Maidstone-Sittingbourne-Sheerness	M-S ARRIVA
332	Petts Farm-Yelsted-Stockbury-Sittingbourne	SDO CHALKWELL
327	Chatham-Medway Hospital-Rainham-Sittingbourne	Su ARRIVA

3.4 There is also the Kent Karrier network, funded by KCC, which operates 11 schemes in total covering all 12 districts in Kent including Swale. This is a membership based scheme for residents of any age with mobility problems, or for any residents living more than 500 metres from a bus route. It provides pre-bookable journeys to key locations in Sittingbourne, Faversham and Sheerness. In 2010/11 the Swale service carried 11,270 passengers, and there are currently 223 members.

3.5 There are also several closed bus routes which provide a service for school pupils, either for “entitled” scholars who (at secondary school) live more than three miles from their nearest appropriate school, or for “non-entitled” scholars for whom transport provision is made through the commercial and supported networks.

3.6 The Kent Freedom Pass (KFP) was been well received in Swale, where it was first introduced in January 2009. The scheme is open to pupils resident in Kent who attend years 7 to 11 inclusive, regardless of the school attended. While the annual cost was raised from £50 to £100 in September 2011, the KFP still represents excellent value for money, providing free travel on almost every public service bus in Kent on any day at any time for a cost of just £2 per week. The scheme, which was introduced to reduce congestion by creating modal shift from car to bus by encouraging young people to choose the bus for their education and leisure travel needs, has proved to be very successful, but there is still scope for a further increase in the number of pass-holders in Swale.

- 3.7 As part of a Government Kickstart scheme, KCC with support from Swale BC was successful in its submission of a bid for bus service improvements in Swale in 2005/06. This Kickstart funding amounted to £310,000 of investment in route 347 in the Sittingbourne/Kemsley area, which provided an enhanced evening service until 20.00, improved roadside bus stop infrastructure and provided fully accessible vehicles. This Kickstart investment proved successful and this bus route is now operated commercially by Arriva.

4. A Quality Bus Partnership for Swale

- 4.1 The present bus network in Swale has been described above. A new Swale QBP, in the form of a Voluntary Partnership Agreement as enabled by the 2000 and 2008 Acts, would provide the opportunity for the creation of a real partnership between the local bus operators, Swale Borough Council (SBC) and KCC. It would also be the first multi-operator QBP in Kent, as envisaged in the 2008 Act, comprising Arriva, Chalkwell and any other bus companies which operate supported bus contracts on behalf of KCC. (Stagecoach, which serves Faversham in the east of the district, has indicated that it does not wish to participate in a Swale QBP).
- 4.2 The structure proposed would be that outlined above and currently used by all the existing QBPs in Kent. It is envisaged that, if the principal bus operators, SBC and KCC were all willing to commit to the delivery of a Swale QBP, the start date would be 1 April 2012. This would also match the start date for the new contracts for much of the supported bus network in Swale for which KCC is currently inviting tenders for the next four-year period (2012-2016).
- 4.3 The Swale bus network consists broadly of four distinct elements:
- (i) the trunk routes operating east-west Faversham-Sittingbourne-Medway and north-south Sheerness-Sittingbourne-Maidstone;
 - (ii) the mainland rural routes linking the Swale mainland villages with Sittingbourne or Faversham;
 - (iii) the Isle of Sheppey routes, which consist of a complex network of part inter-urban services (Sheerness-Minster-Leysdown & Sheerness-Halfway-Queenborough) and part rural services;
 - (iv) the Sittingbourne Town network, which is provided by Chalkwell.
- 4.4 Clearly there is a need to improve the bus network and simplify its operation. The key objective of the Swale QBP will be to deliver enhancements to local bus services and provide a comprehensive, integrated and comprehensible network that provides an attractive alternative to the private car.
- 4.5 While each party would be expected to make funding commitments, everyone recognises the budgetary constraints affecting the public and private sectors alike. The Swale QBP agreement should identify the areas for which each party would be responsible and set out a realistic timescale during which funding for these would be expected, while recognising the difficulties of any immediate provision of substantial resources. The model of the existing Kent

QBPs will help to achieve this, where the involvement of each party has been measured to reflect each one's particular circumstances.

- 4.6 There are nevertheless two sources of funding available to “kickstart” a Swale QBP in the current financial year. Firstly, KCC has already committed £50,000 to improve bus route infrastructure on the Faversham-Sittingbourne corridor as part of its ITP capital programme for 2011/12. This scheme is currently being developed and delivery is planned for spring 2012. Secondly, Sainsbury's is committed to a contribution to local bus service improvements through a S106 agreement with SBC as part of its planning consent for the new Faversham store. This consists of £250,000 towards improving bus services between Faversham town centre and West Faversham (where the store is located), and a further £30,000 for bus stop improvements in the form of two new shelters including seating at Bysing Wood Road in the vicinity of the new store.
- 4.7 Developer funding for improved bus services has also recently become available at Iwade. There is about £116,000 developer funding from the Iwade and the Meads development which is to be used for public transport improvements that would benefit residents in Iwade. There will be additional Saturday journeys on route 334, as this route serves Iwade and has the added benefit of providing additional through journeys between Maidstone and Sheerness. This funding will also be used to upgrade all the bus stops in Iwade and the surrounding area.
- 4.8 The **key developments** that the Swale QBP would seek to deliver would be improved bus stop infrastructure with new bus stop poles and flags, new timetable displays with Real Time Information (RTI) displays wherever these could be afforded, new clearways and some raised boarders (**KCC funded**); new bus shelters and effective enforcement of clearways (**SBC funded**); and new vehicles on Swale bus routes (**operator funded**). Other developer funding opportunities would also be crucial to the continued delivery of such improvements, and the informed presence of the SBC planning officer and the KCC development planner at each QBP meeting would be an essential requirement to ensure that such funding opportunities were captured.
- 4.9 The regeneration of the town centre in Sittingbourne also presents an opportunity to raise the profile of bus services in the town, and the local bus operators are currently consultees in this process. It is hoped the development will improve both the infrastructure for bus stops near the station and access routes for buses, whilst ensuring that customers are still able to board buses close to the High Street shops.
- 4.10 The expansion of developments and the regeneration of Queenborough and Rushenden on the Isle of Sheppey, previously restrained by the limited crossing capacity of the Swale, will generate new local bus service requirements. Arriva is actively planning new and revised services, although the apparent slowdown in the housing market may well result in a delay to any increase in bus services.

- 4.11 One earlier proposal for the rural network of bus routes in Swale has now had to be removed. As part of KCC's bid for the new LSTF, proposals were developed for the delivery of a new DRT system which would have replaced the majority of the existing supported rural network of bus routes with a demand responsive network. Such an innovation would have brought many benefits to the mainly rural users of the existing supported bus network in Swale, but it was always dependent on substantial funding from the LSTF for at least its first five years of service. The successful element of KCC's LSTF bid did not include this scheme, and so it is no longer envisaged as part of Swale's public transport network in the short term.
- 4.12 If the Members of the Swale JTB agree to recommend that the KCC Cabinet Member for Environment, Highways & Waste and the SBC Executive Member for Regeneration jointly approve the creation of a Swale QBP, similar agreement would be sought with the principal bus operators to participate in the QBP. It is envisaged that once the text of the QBP Voluntary Partnership Agreement is agreed, a formal signing ceremony with appropriate media coverage would take place in March 2012, with the first meeting of the Swale QBP to be held during April 2012 at the main SBC offices in Sittingbourne. Further meeting dates at three-monthly intervals would then be agreed with all parties to the QBP.

5. Recommendations

- 5.1 Members of the Swale JTB are asked to approve the following:
- (i) To recommend that the KCC Cabinet Member for Environment, Highways & Waste and the SBC Executive Member for Regeneration jointly approve the establishment of a Swale Quality Bus Partnership in the form of a Voluntary Partnership Agreement, as provided in the Transport Act 2000 and the Local Transport Act 2008;
 - (ii) To recommend that the local bus operators Arriva and Chalkwell, together with other companies operating KCC supported bus contracts, be formally approached to join the new Swale Quality Bus Partnership on the basis set out in this report;
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APPENDICES

Appendix 1

Draft Swale Quality Bus Partnership Agreement

Appendix 2

Swale District Bus Map

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