

Overview and Scrutiny Commissioning Committee 10 November 2010

The overview and scrutiny commissioning committee asked the following questions regarding bus contracts:

- How does BCC consult with local residents & members on changes to the delivery of bus routes?
- An explanation of the nature of bus contracts?
- How does the consultation process on bus services fit in with the locality strategy? E.g. do you consult with LAFs
- How are the results of consultations used and publicised?
- How does the consultation process used by Transportation relate to the corporate consultation guidelines and strategy?

Bus contracts

The 1985 Transport Act deregulated the bus industry outside of London. Bus operators were then able to provide services on a commercial basis, competing freely and not cross subsidising one route with profits from another. At the same time Local Authorities were given powers to contract additional services where no commercial route existed or to enhance routes where appropriate, in accordance with their policies.

All local bus services must have their routes and timetables registered with the appropriate Traffic Commissioner's Office (now a branch of VOSA). In most cases bus operators must give the Traffic Commissioner 56 days notice of any route or timetable changes they decide to make. In the case of service withdrawals this allows the Local Authority just 8 weeks to assess the impact of proposed changes and seek to procure alternative services where appropriate.

Subsidised services can be procured either through tendering for a route or journey(s) or through a mechanism known as "de minimus". The latter allows a local authority to negotiate directly with the operator of a service to procure minor enhancements to a commercial route where tendering on the open market would undermine the viability of the route in question. Local Authorities are not permitted to operate subsidised routes in competition with a commercial service.

Local bus contracts can be let for a maximum of 5 years after which they need to be re tendered. BCC conditions of contract require 120 days notice to be given by either party to terminate a contract, even if the contract is to be re-tendered.

Consultation and engagement

Transportation follows the corporate consultation guidelines and strategy for policy documents. The County Council's Bus Strategy outlines the criteria against which revenue funding on public transport is to be prioritised. It is set out as an appendix to the 2nd Local Transport Plan, LTP2 and as such was subject to the full LTP2 consultation process. Transportation will be commencing consultation on the 3rd Local Transport Plan in 2010 and this will also follow the consultation strategy.

Changes to individual bus timetables are not policy changes and do not follow the full consultation process. Often we are reacting to changes made to the commercial network for which we are given 56 days notice, during which we have to assess the impact of a change, cost alternatives, seek views and procure replacement services if appropriate.

Where reviews of subsidised bus services are carried out by Transportation, elected members, parishes and other interest groups will be contacted in writing, outlining the intended changes and seeking views on the proposals. Locality forums are also contacted and if required an officer will attend a Locality meeting or submit a briefing paper. In these cases we will give at least 6 weeks for a response, following the guidelines in the "New Deal". When revised timetables are agreed, we will write to those originally contacted to explain the decision made and confirming details.

We receive well over one hundred notifications of changes to bus services each year, some of these are relatively minor changes to timetables or small route amendments although others will have a wider impact. Even a seemingly minor change to a single journey may well have a considerable adverse impact on individual passengers.

In the case of the recent review of bus services to implement the MTP budget reduction, members, parishes, Locality Forums (where in operation) and other interested groups were written to with details of our proposals and given around 8 weeks to respond. As the decision that financial cuts were being made, and the level of these cuts, had already taken place through the MTP process, our aim was to explain how the service reductions could be implemented and to seek views on how best to make use of a reduced level of resource. In many cases our original proposals have been amended to take account of these views. Over 50 subsidised bus routes across the county are being reviewed this autumn in order to reduce costs and manage the MTP budget reduction.