

Agenda Item No.



## Transport Delivery Committee

<b>Date</b>	10 <sup>th</sup> July 2017
<b>Report title</b>	Solihull Statutory Quality Bus Partnership
<b>Lead Member</b>	Councillor Kath Hartley
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<b>Report to be/has been considered by</b>	Transport for West Midlands Board

### Recommendation(s) for action or decision:

#### The Transport Delivery Board is recommended to:

- 1 Endorse the approval of the making of the Solihull Town Centre Advanced Quality Bus Partnership (AQPS) Scheme on or before Sunday 23rd July 2017.
- 2 As per the terms of reference for the Transport Delivery Committee, recommend to the West Midlands Combined Authority Board that the Solihull AQPS is formally agreed and made on or before 23rd July 2017, at the next meeting of the CA Board on the 21st July 2017.

### 1.0 Purpose

- 1.1 To seek endorsement and recommendation from the Transport Delivery Committee for the West Midlands Combined Authority Board to formally make the Solihull Town Centre AQPS by Sunday 23rd July 2017. This would then allow the scheme to be introduced after a minimum legal 13 week notice period on Sunday 22nd October 2017.

## **2.0 Background**

- 2.1 As part of the powers within the Transport Act 2000 that were further amended by the Local Transport Act 2008 and most recently amended by the Bus Services Act 2017, transport authorities such as the West Midlands Combined Authority (WMCA) have powers to create Advanced Quality Bus Partnerships (AQPS). The Bus Services Act 2017 provides that a Statutory Quality Partnership can be treated as an Advanced Quality Partnerships from the commencement date of 27<sup>th</sup> 2017. These partnership schemes can be created following public investment in bus initiatives within a defined area or on a bus route/corridor. The transport authority can then impose minimum standards on the bus operator(s) for service delivery.
- 2.2 To further strengthen the Bus Alliance delivery TfWM are also keen to expand the Birmingham City Centre SQPS (now AQPS) and implement further AQPS schemes at the key centres across the West Midlands in partnership with the local authorities.
- 2.3 In July 2012 the transport authority jointly created a SQPS (now AQPS) for Birmingham city centre in partnership with Birmingham City Council. This has proved to be an effective way of managing the use of bus stops within the City Centre and has, through setting minimum standards for buses, helped to drive up the quality and most notably imposed minimum emission standards for buses entering the scheme area.
- 2.4 With the recent improvements to the public realm in Solihull town centre both TfWM and Solihull Metropolitan Borough Council (MBC) are keen to establish a set of principles through a new AQPS to manage the 'on street' operation of buses in Solihull town centre and further drive up the air quality through emission standards, as well as protecting the significant levels of bus investment put into the centre by TfWM and Solihull MBC.

## **3.0 The Scheme**

- 3.1 The proposed scheme will be applied to 33 bus stops and stands within Solihull town Centre covering those in Station Approach, Poplar Road, Station Road, the section of Warwick Road within the town centre, Homer Road, New Road, Lode Lane as far as Solihull Hospital, Blossomfield Road, Monkspath Hall Road, Church Hill Road and Dury Lane.
- 3.2 A key output of the scheme will be that bus operators running within the scheme area will have to take any layover at the rail station bus stands which is designed to ensure that traffic in the town centre keeps moving on Station Road and Poplar Road.
- 3.3 The Solihull scheme will impose minimum engine emission standards for all buses. The scheme proposes a minimum standard from day one of Euro III engine emissions increasing to Euro IV from the middle of 2018; Euro V from the start of 2020 and Euro VI by the start of 2021. This is the most ambitious scheme in terms of emissions to date and takes into account that an AQPS must be implemented being mindful of competition law and must not be responsible for threatening the sustainability or viability of a business.
- 3.4 The phasing of the minimum emission standards for Solihull are in line with the West Midlands Bus Alliance current commitments of a minimum of all buses having a minimum of Euro V emission standard by 1<sup>st</sup> January 2020.
- 3.5 All main bus stops at the rail station will have a slot booking system which is similar to the type of operation undertaken across TfWMs bus stations. This process looks to maximise

safety at stops, prevent double parking of buses and make a more effective environment for customers. In addition to the slot booking system and bus engine emission standards the scheme will help with the following :

- Protect improved bus facilities in Solihull.
- Introduce enforceable bus stops and stands within the AQPS area.
- Require Solihull Council to enforce bus stands and other Traffic Regulation Orders
- Require operators to provide Real Time Information data feed to improve passenger information.
- Improve driving standards and driver training.

#### 4.0 Procedure to Implementation of the Scheme

4.1 The local Transport Act 2008 outlines a specific procedure that has to be followed to implement an Advanced Quality Bus Partnership. We undertook formal consultation with:

- The bus operators who currently operate within the proposed scheme area:
  - National Express West Midlands (West Midlands Travel Ltd)
  - Diamond Bus
  - Claribel Coaches
  - Igo buses
  - Johnson Coach and Bus
  - Sunny Travel
  - Discount Travel Solutions
  - Landflight (formally known as Silverline Landflight)
  - A&M Group
- The public transport teams at Warwickshire and Worcestershire County Councils
- Chairman and Vice Chairman of the Transport Delivery Committee
- Chairman and Vice Chairman of the West Midlands Combined Authority
- Elected members in Solihull
- Board members of the West Midlands Bus Alliance
- Birmingham & Solihull LEP
- West Midlands Traffic Commissioner
- West Midlands Chief Constable and West Midlands Police Commissioner

4.2 WMCA were not required to undertake a full public consultation on the scheme though anyone could have if they wished to make comments. Notification of the start of consultation was made via an advert in the Birmingham Mail newspaper and on our Transport for West Midlands website.

4.3 To comply with the legal procedure we are working to the following timescales:

- Formal Consultation started on **Monday 13<sup>th</sup> February 2017** and was open for 13 week period (the legal minimum requirement).
- Consultation ended on **Monday 15<sup>th</sup> May 2017**.
- Consideration of any comments will be made and the scheme will need to be made by **Sunday 22<sup>nd</sup> July 2017** at the latest.
- We will then give the legal minimum of 13 weeks' notice of the scheme start date.

- All bus operators who wish to operate any bus service in the scheme area once it has started will have sign a declaration to both the WMCA and the West Midlands Traffic Commissioner that they will fully comply with the AQPS requirements.
- The scheme will start on **Sunday 22<sup>nd</sup> October 2017.**

## **5.0 Responses to the Consultation**

- 5.1 We received consultation responses from three organisations, National Express West Midlands, Diamond Bus and the Black Country Councils which are outlined below.
- 5.2 Both National Express West Midlands and Diamond Bus raised the same two key concerns over vehicle emission standards and length time a bus would be permitted to park on the bus stands at Solihull rail station. With regards to the vehicle emission standards milestone dates for the minimum vehicle emission standards have been slightly adjusted to make compliance easier for the bus operators whilst still meeting the WMCA objective of improving bus engine emission standards. With regards to the permitted bus parking at the rail station WMCA have agreed with Solihull MBC to introduce revised traffic regulation orders that amend how long a bus can be stationary on bus stands. In conjunction with an adjusted bus stand allocation all operators should be able to comply with the requirements of the scheme.
- 5.3 The Black Country Councils raised concerns that operators will meet the requirements of both the Birmingham and Solihull AQPSs by moving their more environmentally friendly buses from the Black Country and replace them with older more polluting vehicles. WMCA is committed to the implementation of similar Advanced Partnerships based on other district centres such as Merry Hill shopping centre and West Bromwich and Walsall town centres. WMCA is already actively working towards a similar scheme for Wolverhampton city centre in early 2018 where our scheme will directly mitigate air quality issues in their city centre.

## **6.0 Monitoring and enforcement of the Scheme**

- 6.1 With the decriminalised parking enforcement powers in Solihull the enforcement of stationary parking offences like buses either parked where they should not or for too long on bus stops and stands will continue to be the responsibility of the parking enforcement officers employed by Solihull MBC. Moving offences will continue to be the responsibility of West Midlands Police.
- 6.2 TfWM staff will undertake monitoring of service performance and adherence to the scheme requirements. The scheme provides for procedures to follow for operators who do not comply with the scheme and ultimately this could ultimately result in action being taken by the Traffic Commissioner for the West Midlands.
- 6.3 The implementation of any AQPS should aim to strengthen the working relationship between TfWM and the Traffic Commissioner for the West Midlands (TC). The TC takes his role of ultimate enforcer of the AQPS very seriously and through the local office for the TC they have taken a keen interest in helping to ensure the bus operators all meet the required standards set out in the AQPS for the Birmingham scheme and this will continue with the Solihull scheme.
- 6.4 To date the Traffic Commissioner has taken disciplinary action against two bus operators who have not complied with the scheme requirements in Birmingham City Centre. In both

cases the operators had underlying issues with the standards of their vehicle maintenance which would have attracted the attention of the TC without the AQPS being in place.

- 6.5 With the Birmingham City Centre AQPS in place this strengthen the ability of the TC to take action against the two operators in because the scheme requires enhanced service delivery standards. All operators have to sign an undertaking they will abide by the scheme requirements and this allowed the TC to take specific action. In one case this resulted in the number of vehicles they could operate being reduced and with the other operator they were banned from running any services at all for a number of weeks. In both cases the TC banned both operators from running specific vehicles that did not meet the AQPS requirements.

## **7.0 Appendices**

- A copy of the proposed scheme