BUS FORUM
10.00 AM FRIDAY 6TH NOV 2015
DIAMOND JUBILEE ROOM, CITY CHAMBERS, CITY OF EDINBURGH COUNCIL

AGENDA

1. Welcome and Apologies

2. Minutes and matters arising;   Minutes of 20th Feb 2015 Bus Forum attached

3. Transport Scotland; Update on Bus issues (TD) – followed by a Q & A session

4. Proposed new Bus Service Registration Regulations (TH) – TS draft Guidance notes attached

5. First Group; Application to the CMA to be released from Undertakings (SEStran response attached)

6. One Ticket; Short presentation by Stuart Lockhart followed by a Q & A session

7. Update on projects
    7.1. A89/A8 Corridor Public Transport Study (CEC)
    7.2. Ferrytoll P&R (Fife)
    7.3. South Tay P&R update (TH)
    7.4. Real Time Bus Passenger Information; update (JG)

8. Edinburgh Bus Lanes; change to Regulations (CA)

9. Recent concerns over 'clean' diesel engines (CA)

10. Buses in new residential development; Paper by Barry Turner attached

11. Barriers to Bus Travel; Cultural and Societal Attitudes (CA)

12. Current Issues (as relevant)
    12.1.   Local Authorities
    12.2.   Operators / CPT (GM/PW)
    12.3.   Traveline Issues (S McN)
    12.4.   Bus Users Scotland (GB)
    12.5.   CTA (J McD)

13. AOCB

14. Future Dates   TBA

TH – 30 Oct 2015

SESTRAN BUS FORUM

DIAMOND JUBILEE ROOM, CITY CHAMBERS, EDINBURGH

10AM FRIDAY 20TH FEBRUARY 2015

Present

Charlie Anderson (Chair)	Non Councillor Member
Councillor Stephen Bird	Falkirk Council
Councillor Derek Rosie	Midlothian Council
Neil Bailey	Edinburgh Coach Lines
Derek Beveridge	Fife Council
Gavin Booth	Bus Users Scotland
Chris Cox	Falkirk Council
Mark Craske	NHS Forth Valley
Chris Day	City of Edinburgh Council
John Dellow	Scottish Borders Council
Ian Forbes	West Lothian Council
Jim Grieve	SEStran
Trond Haugen	SEStran
Andrew Hutt	SEStran
Andrew Jarvis	Stagecoach East Scotland
Alex Macaulay	SEStran
John MacDonald	Community Transport Association
George Mair	CPT Scotland
John Martin	Non Councillor Member
Stuart McNeill	Traveline Scotland
Barry Turner	Non Councillor Member
Fraser Pearce	Moffat & Williamson
Brian Peat	First Scotland East
Neil Renilson	Non Councillor Member
Sandy Scotland	Non Councillor Member
Katrina Scott	Edinburgh Coach Lines
Nigel Serafini	Lothian Buses
Karl Vanters	Midlothian Council
Emily Whitters	SEStran

Apologies

Councillor Donald Balsillie	Clackmannanshire Council
Councillor Tony Boyle	West Lothian Council
Councillor Jim Bryant	Midlothian Council
Councillor Gordon Edgar	Scottish Borders Council
Councillor Norman Hampshire	East Lothian Council
Councillor Lesley Hinds	City of Edinburgh Council

	Councillor Adam McVey	City of Edinburgh Council
	Councillor Joanna Mowat	City of Edinburgh Council
	Councillor Michael Veitch	East Lothian Council
	Sarah Boyd	Lothian Buses
	David Brown	Clackmannanshire Council
	Tom Davy	Transport Scotland
	John Jack	Non Councillor Member
	Maureen McPherson	West Lothian Council
	Tony McRae	Fife Council
	Amber Moss	East Lothian Council
	Tom Steele	NHS Forth Valley
	Paul White	CPT Scotland

Ref.		Actions
1.	**Welcome & Apologies**	
	Mr Anderson conducted round table introductions and gave the apologies.	
2.	**Minutes and matters arising**	
	The minutes from the previous meeting of the bus forum were approved by the Partnership Board on the 26th September, 2014. Mr Anderson requested an update on the Thistle card. Mr Macaulay gave an overview as follows: - The Thistle card has been very well received and there is now a high demand for it. Mr Macaulay is to circulate usage statistics following the meeting. - Several other RTPs have either launched the card or are in the process of doing so. This is leading to a progressive rollout of the card throughout Scotland. - Implementation of Thistle card is very cost effective. Around £150 was spent on the service last year. - The Scottish Government are planning a mobility conference on 24th March and SEStran have been asked to do a presentation on the evolution of the Thistle card.	Mr Macaulay
3.	**Transport Scotland; Update on bus issues**	
	Mr Anderson raised the issue of the lack of attendance from a Transport Scotland representative. He asked that Mr Macaulay liaise with the other RTP directors to see if this was an issue for them as well. Mr Anderson requested that the group agree to send a letter to the new transport minister Derek Mackay MSP. Mr Scotland suggested that this letter should reference the recent press release by	Mr Macaulay

	Transport Scotland which states that they are looking to strengthen their relationships with local authorities and regional transport partnerships. Mr Macaulay is to take this forward. Mr Haugen gave apologies for the Transport Scotland representatives who had sent a copy of a press release, as linked to below, to be presented to the forum. http://www.transportscotland.gov.uk/news/bus-play-key-role-scotlands-transport-mix Mr Scotland enquired if members of the forum had any information regarding the amount that Scottish Government will be investing in bus items in the 15/16 financial year. Mr Haugen referred to the press release which confirms an investment of £414million for concessionary travel. Mr Mair stated that CPT have a letter confirming that the in-year adjustment for concessionary reimbursement will fully meet the £202m that has been agreed for 2015/16 with a one year budget for £212 million for 2016/17 as well as a pathway to future negotiations in the years beyond that.	Mr Macaulay
4.	**Bus Regulation (Scotland) Bill; update**	
	Mr Haugen gave an update on the Bus Regulation (Scotland) Bill. He noted that this has not yet gained momentum. The proposal has been amended in light of the consultation process. The Bill is now to extend the powers of transport authorities to regulate bus services through: • Quality contract schemes • Quality partnership schemes • Ticketing schemes • Extending the powers of the traffic commissioner in relation to the registration of bus services The Bill had gained the requisite cross party support, however timing is now an issue as there is only around 18 months left of the current parliament. Mr Haugen noted that if the Bill is not in the timetable by October then it will be difficult to get it passed.	
5.	**Real Time Bus Passenger Information; update**	
	Mr Grieve gave an update on the RTPI system as follows: • SEStran now have a substantial number of First and Stagecoach vehicles fitted out with the RTPI system • The signs in Edinburgh are in use but to a limited extent as there need to be more services uploaded. • The server for RTPI will be moved into a fully operated 24 hour service centre from March, which will aid with reliability issues which have improved recently.	

- Stagecoach are introducing their own ticket machine system onto their vehicles. This covers all of Stagecoach Fife. Between March and June the current kit will be put in First vehicles. Stagecoach will give SEStran a vehicle monitoring feed, resulting in SEStran still being able to produce real time information for Stagecoach.
- The Stagecoach changes mean that SEStran will now have RTPI for all local bus services run by First Scotland East and Stagecoach throughout Fife and into Edinburgh.
- A further advantage from this change is that the RTPI system will be equipped to take in smaller operators who choose to fit their vehicles with a ticket machine based system.

Bus Improvement Fund:
- The BIF award from 2013 will be spent by the end of March 2015
- SEStran have a further 2 awards from BIF to further expand the RTPI system and fit out more vehicles, and to equip TV screens with RTPI in public places such as hospitals and libraries.
- The total expenditure on RTPI is currently just under £5.3 million

Promotion and Usage:
- There was a recent promotional drive for RTPI resulting in a 20% increase in downloads of the app
- It also came to light that many users are accessing bustrackerSEStran through travel line. In total the bustrackerSEStran system is now responding to 650,000 live bus queries per month with a 30% increase from December 2014, the first month which included Traveline requests.

Other current bids:
- Currently pursuing a Scottish enterprise bid on making a commercial venture of the TV screens with RTPI. This is achievable through introducing a charge for installation and maintenance.
- There are 2 bids with the Scottish Roads Research Board. One is to modernise the One-Ticket ticketing mode and the other to research the feasibility of producing RTPI from vehicles using a mobile phone.

Mr McNeill gave his thanks to SEStran for making the link to bustrackerSEStran available to Traveline.

Mr Jarvis noted that the changes being made by Stagecoach would

	provide automatic vehicle location for the Stagecoach Fife fleet and would enable other RTP areas elsewhere to tap in to the same data feed which is freely available. Responding to a query from Mr Anderson regarding the Scottish Enterprise bid, Mr Grieve stated that he is conscious of long term maintenance costs and believes it is appropriate for commercial premises to fund this as there would be benefits such as advertising. Mr Martin questioned the cost of installing the units in public buildings. Mr Macaulay stated that the cost is dependent upon whether the facility has a screen and internet connection for use. The configuration of the screens would be in the low hundreds, rising to around £500-600 if there is a requirement to buy the screen. Mr Macaulay noted that this was very cheap in comparison to external signs which are around £12,000. Mr Craske noted that the requirement for only a screen and internet connection presents far fewer questions about IT issues for using these screens for the NHS. Mr Cox raised the issue of the network requirements of integrating RTPI information with existing council infrastructures. Mr Macaulay noted that this was an important issue that will have to be addressed, highlighting in particular the need for very firm security for installations in the NHS. He also noted that if there is a need for a separate connection then this will impact the cost of the unit. Mr Haugen asked the question of how to get small operators on board with the RTPI system. Mr Grieve has spoken with a number of smaller operators and stated that when they are considering upgrading their ticket machines he would like to encourage them to get a machine that uses RTPI. Mr Bailey stated that currently the cost of replacing ticket machines is prohibitive. Mr Forbes noted his interest in the use of a mobile phone as an RTPI device. Mr Grieve stated that he thinks it is feasible as long as the information provided is of the same level as that currently produced.	
6.	**Update on Projects**	
6.1	Ferrytoll P&R (Fife) Mr Beveridge gave a short update as follows: • There is currently no date regarding the work to the passenger loading platforms. • The facility is currently maintaining around 80% of the car	

	parking usage. Mr Jarvis stated that as part of the work for the new Queensferry crossing there are plans to change the stances at Ferrytoll. This will take away some parking from the other side of the terminal but will address the issue of buses getting held up.	
6.2	South Tay P&R update Mr Haugen gave an update as follows: • SEStran have been given clearance to buy the site • There is an agreement with Stagecoach who will operate the Park and Ride facility • Discussing what procurement route to take but it is likely to be a design and build. • The funding is not yet in place but the steering group are researching potential options. • The scheme is in the Transport Scotland STPR and they are fully on board within the steering group to try and get a complete funding package together.	
7	**Mobility Scooters on buses**	
	Mr Hutt presented a consultation paper on the use of mobility scooters on public transportation. This resulted from discussions at the SEStran Equalities Forum and was expanded to be nationwide. The paper is intended as an information guide to those buying mobility scooters. Mr Macaulay stated that SEStran also intend to circulate the information to suppliers as it is in their interests of customer care. Mr Scotland noted that it would be useful for this information to be distributed to disability groups.	
8	**Current Issues (as relevant)**	
8.1	Local Authorities Nothing to report.	
8.2	Operators/CPT Nothing to report.	
8.3	Traveline Issues Mr McNeill gave a short update on the ongoing redevelopment of the Traveline website. The first phase will be released in March and the whole site including the journey planner will be released by the middle of the year.	
8.4	Bus Users Scotland Mr Booth provided a summary of recent work by Bus Users Scotland. • Previously reported complaints by RTP area but are now doing this on a per capita basis. • The SEStran area is fourth in the number of complaints with	

	the 3 largest companies inevitably attracting the most complaints. • The most common complaints include: service reliability, driver and staff attitudes, buses failing to stop, level of service – the way complaints are dealt with and vehicle condition. • As more people become aware of Bus Users Scotland the number of complaints is growing, resulting in some new recruitment opportunities.	
8.5	CTA Mr MacDonald stated that there are two reports forthcoming. • The first is a state of the sector report on community transport. This will contain information on the size and scope of the sector as well as the issues involved and will be released very shortly. • Transport Scotland have completed a detailed report on the social and economic benefits of community transport which will be released in a few weeks.	
9	**AOCB**	
	Mr Anderson raised the issue of duplication of bus service numbers. Mr Haugen stated that this had been highlighted at the previous bus forum where an informal agreement had been discussed to avoid duplication. Mr Haugen stated that there are now two X62 services, both departing from Edinburgh, one to Kirkcaldy and the other to Galashiels. Mr Haugen stated that it would be helpful to avoid these situations and requested that Mr Jarvis consider a renumbering of the service. Mr Jarvis agreed to look in to it and discuss the issue with Mr Peat. Mr Scotland questioned the effect of duplication on bustrackerSEStran. Mr Grieve stated that it is not an issue in this case as the two services do not use the same stops, however he noted that it could be problematic if this issue occurred where the same bus stops were being used.	
10	**Future Dates**	
10.1	Bus Forum – Friday 21ˢᵗ August	
10.2	Bus Liaison Group – Friday 17ᵗʰ April	

Bus service registration guidance

Introduction

Under the Transport Act 1985 local bus services must be registered with the Traffic Commissioner. Section 2 defines the meaning of local services and section 6 sets out the registration requirement.

Registered services are subject to a regulatory regime administered by the Traffic Commissioner which aims to ensure the delivery of services to the proposed standard. The regime helps provide an important element of stability in the local bus network, facilitates the timely provision of information to bus users and others affected by planned changes in services and by giving advance notice of changes allows the relevant authority (defined as any Passenger Transport Authority or local authority within whose area there will be a stopping place for the service) to consider whether to take action to avoid potential adverse consequences of proposed changes or suggest potential improvements. The details of local bus services are generally required to be registered with the Commissioner before they come into operation, and the Commissioner has powers to act against operators if services are not being operated as registered.

While the bus service registration regime in Scotland generally works well, the Scottish Government considers that there are a number of areas where there is room for improvement. The proposed changes are designed to create time for more detailed discussion between bus operators and the relevant authorities without lengthening the overall process, offering both parties the opportunity to work collaboratively to their benefit and, ultimately, that of the bus user.

This draft Guidance is designed to come into effect at the same time as the proposed legislative changes set out in the Public Service Vehicles (Registration of Local Services) (Scotland) Amendment Regulations 2015 *(link when available)*.

Background

Earlier this year Transport Scotland published a consultation on potential improvements to bus registration procedure in Scotland through amendments to The Public Service Vehicles (Registration of Local Services) (Scotland) Regulations 2001, non-legislative means (guidance, code of conduct) or a combination of the two.

Following the consultation and discussion with stakeholder groups the Scottish Government introduced the Public Service Vehicles (Registration of Local Services) (Scotland) Amendment Regulations 2016 This sets out the following changes to the bus service registration regime:-

- extend the pre-registration notice period from 14 days to 28 days. Previously, bus operators were obliged to inform the relevant authority or authorities 14 days before making an application to register a service route with the Traffic Commissioner for Scotland. Once the relevant authority has acknowledged receipt of this notice, the operator can then proceed to registration. This proposal provides additional time for more meaningful discussion between public transport authorities and bus operators on the implications of any proposed changes and to plan accordingly to minimise any disruption or seek alternative options in the run up to service changes.

- reduce the period of registration from 56 days to 42 days. In conjunction with the extension of the pre-registration notice period, this change preserves the overall timetable from notification to service change at 70 days.

The proposed changes are designed to offer the relevant transport authorities the opportunity to better manage the effects of planned bus service changes, new services and withdrawal of services on the transport network with the ultimate aim of providing greater certainty and information to bus users and potential new users. Interventions may include offering financial or other support to influence planned proposals before they are registered, while maintaining the overall competition-based approach to bus service provision. This additional support will benefit public transport authorities, bus operators and bus users and may have the added benefit of growing bus patronage.

Guidance for public transport authorities and bus service operators

In tandem with the legislative changes, this Guidance is designed to offer pointers as to how the additional time allocated to pre-registration notification might profitably be used by public transport authorities and bus service operators when considering applications for bus service registration.

It is important that the pre-registration process becomes more meaningful and fosters consultation between operator and authority on changes to the bus network. The additional time given to the pre-registration period is intended to be used by both bus operator and the relevant authority to discuss proposed registrations in partnership and to allow them to seek to resolve potential difficulties before they arise.

Of course, the Scottish Government recognises that bus operators and public transport authorities have different imperatives, the one to make a return on their investments and the other to ensure sufficient provision of public transport to the people living and working in their areas. However, both parties also have a shared interest in a robust and resilient transport network that is used and valued by the passenger.

By providing additional time at the front end of the registration process, it is envisaged that many of the difficulties currently encountered can be resolved by discussion at an early stage, making the actual registration process simpler and reducing the number of faulty applications for registration.

In addition, although in the consultation some local authority representatives voiced misgivings about the impact of reducing the registration period to 42 days, they should find that the additional time allocated to the pre-registration period results in less problematic applications being submitted for registration. The fact that the overall period from notification to service change remains at 70 days will also allow authorities to plan for changes and begin to prepare public information earlier in the process.

The following guidance draws on best practice examples and aims to facilitate greater dialogue and information sharing between operators and authorities, in particular, how to make better use of the pre-registration notification period to iron out any potential difficulties before they arise.

1. Pre-registration notification period

All operators planning to register a new service or a change to an existing service or to deregister a service should consult with the public transport authorities through whose areas the service operates 28 days before submitting the registration to the Traffic

Commissioner. The term 'consult' means to provide information, discuss, consider and action matters agreed by both parties.

The consultation process should include the following steps and adhere to the following time frames.

Day 1:

The operator sends the registration document, along with associated timetables and maps, to the relevant authority, who issues an email of receipt.

Days 2-14:

The authority considers the content of the registration, highlighting any mistakes, and identifying potential changes that would benefit the community. Where potential changes have been identified, or a particular issue arises, a meeting should be held with the operator to discuss these. The authority should consider whether:

> (i) The service/changes are complementary to the current network.
>
> (ii) A supported socially necessary service would be required.
>
> (iii) The registration would cause concerns for safety or uncompetitive practices.
>
> (iv) The service could in practice operate as registered.
>
> (v) Another authority's view is required if the service is cross-boundary
>
> (vi) Any stance allocations have been agreed

In instances where services are being withdrawn, operators should automatically provide data on patronage, fares, revenue, concessionary fares reimbursement and profit and loss information to the relevant authority. This should be treated confidentially and remain within the authority's passenger transport team.

Days 15-27:

The operator considers the comments from the authority and provides a counter response. Where applicable, the operator will make changes to the registration. The operator submits its final intended registration to all authorities through which the service operates.

If both the authority and operator agree, the operator should be permitted to submit the registration after the initial 14-day pre-registration period. This will, of course, depend on the authority being satisfied that this leaves them sufficient time to plan for the changes proposed.

If agreement has not been reached within the pre-registration period, the operator is still able to submit the registration to the Traffic Commissioner. Unless this is an issue on which the Traffic Commissioner can intervene, the registration will be accepted by the Commissioner.

The relevant authority or authorities should return to the operator acknowledgement that consultation has taken place. This confirmation will then be submitted by the operator to the Office of the Traffic Commissioner with application Form PSV350 (Scotland) for the proposed registration.

Confidentiality should be maintained through the pre-registration period, such that the relevant authority does not divulge the content of the registration to anyone not directly involved in the process.

2. Registration period

The application for registration should include a confirmation from the relevant authority that it has been properly consulted. The authority also has the opportunity to highlight to the Office of the Traffic Commissioner any concerns that were not resolved during the pre-registration period. The registration period will last for 42 days and begins when the operator submits an application for registration.

To be clear, the provision of this additional information does not alter the duties or remit of the Traffic Commissioner for Scotland. However, this information is expected to provide useful evidence for evaluation of the effectiveness or otherwise of the changes to the registration system and to inform policy decisions in the future.

Day 1:

The operator submits the registration to the Traffic Commissioner.

Day 2:

The Traffic Commissioner confirms receipt of the registration to the operator.

Days 2- 42:

The Traffic Commissioner considers the registration. If the relevant authority has indicated that they have not been consulted or that they are not in agreement with the content, the Traffic Commissioner should examine the circumstances. The powers for refusing registrations will be restricted, as currently, to the following instances:

> (i) The operator does not hold a valid PSV operator's licence or community bus permit.
>
> (ii) The operator's licence has a condition on it which stops the operator running the type of service applied for.
>
> (iii) The service runs in an area covered by a Quality Contract, unless it is exempt for the Quality Contract.
>
> (iv) Where the registration document has not been completed properly or the fee has not been enclosed, in which case the Traffic Commissioner can seek additional information and the fee from the operator.

In addition, the Traffic Commissioner may attach Traffic Regulation Conditions (TRCs) to the PSV operator's licence if it is thought that they are needed to stop danger to road users or reduce severe traffic congestions, noise or air pollution in a particular area. Conditions can affect:

> (i) Stopping places
>
> (ii) The times vehicles may stop and for how long
>
> (iii) Routes of services
>
> (iv) Turning or reversing manoeuvres vehicles may take
>
> (v) The number of vehicles or frequency of service.

The request for TRCs would normally come from a relevant authority. The Traffic Commissioner should consider evidence and cases from both the authority and operator before considering whether a TRC should be attached and the detail of the TRC.

In the spirit of good partnership working, authorities should not raise any issues with the Traffic Commissioner that they have not already raised with operators during the pre-registration period.

Throughout, the aim should be for good data accuracy and adherence to timescales.

3. Registration form

The form should be amended to allow for more information on the consultation undertaken with the relevant authority to be recorded. In terms of s. 4(2) of The Public Service Vehicles (Registration of Local Services) (Scotland) Regulations 2001, the Traffic Commissioner for Scotland can require such information and in such form as they reasonably require in connection with the application.

As a minimum, the form should show

(i) all authorities that the service passes through,

(ii) whether they have been consulted,

(iii) the date they were informed of the registration,

(iv) the date of response from the authority,

(v) the date of any amendments and boxes to indicate whether or not the authority supports the content, and if not, a reason why not.

Where a registration has been submitted without agreement from the authority, this should be clearly stated and a reason for this disagreement given from the authority. The authority should also be able to state whether requested information was not supplied by the operator.

To be clear, the provision of this additional information does not alter the duties or remit of the Traffic Commissioner for Scotland. However, this information is expected to provide useful evidence for evaluation of the effectiveness or otherwise of the changes to the registration system and to inform policy decisions in the future.

Mark Hogan   9 Oct 2015
Project Manager
Competition and Markets Authority
Victoria House
Southampton Row
London WC1B 4AD

Dear Mark,

FIRST GROUP; Application for Release of Merger Undertakings imposed on First Scotland East

First of all, thank you for extending the response date for SEStran on this issue. We understand the undertakings impose restrictions on First Scotland East in respect of fares (cannot increase by more than the 'Hybrid CPT fares index') and operations (mileage cannot be reduced to less than 75% of the 'original' level). We also understand that First Scotland East is not allowed to take 'retaliatory measures' against competing services in the form of changes to timetables or reduction in fares.

As you may be aware, SEStran (South East Scotland Transport Partnership) is the Statutory Strategic Transport Planning Authority for the following eight Councils:- City of Edinburgh, Clackmannanshire, East Lothian, Falkirk, Fife, Midlothian, Scottish Borders and West Lothian.

First Scotland East is the major bus operator in all the SEStran authorities – with the exception of City of Edinburgh, Midlothian and Fife.

In Edinburgh, where Lothian buses is by a fair margin the major operator, First Group is nevertheless the main operator of services extending beyond the city and the nearest hinterland. In Midlothian, First used to be the main operator but they have largely withdrawn all their services - with Lothian buses coming in to fill the gap. In Fife – where Stagecoach is the major operator - First have only a very minor presence.

Any change in circumstance in respect of First operations since the last review/change of the undertakings back in 2008 will vary across the SEStran area so our response should not be seen as a reflection of the whole of the SEStran area.

We note that this consultation also covers the undertakings that apply to First Glasgow operations. The SEStran response must therefore be read as only applying to First Scotland East and the (relevant parts of the) SEStran area.

We also note that this consultation is to address the question of whether or not there should be a review - so our response must not be seen as a SEStran view on whether or not the Undertakings should be lifted or amended.

In their application, First Group have argued that there has been significant change in circumstances since 2008 so I will touch on a number of issues in this respect.

First Group has faced increase in competition. It is the case that both of the other major operators in the SEStran area – Lothian buses and Stagecoach - have increased their head on competition against First Scotland East.

Lothian Buses have expanded their operational territory much further into East Lothian and Midlothian – partly as a result of First deciding to abandon a number of routes in these areas as well as closing the Dalkeith depot (their only depot in Midlothian) – but also due to Lothian Buses starting new services or extending existing services into Midlothian and East Lothian in competition with First. First have therefore all but stopped operating in Midlothian (there is a through service to the Borders) and they have significantly reduced their operations in East Lothian.

Stagecoach started a competing service on the only First service wholly within Edinburgh (to South Queensferry) - with the result that First stopped their service.

In many areas there has also been an increase in the level of competition from smaller operators. This has in part been reflected in First losing out to smaller operators for subsidised services tendered by the relevant Councils.

It can therefore be concluded that since 2008, First Edinburgh East has faced / is facing increased competition from other operators.

There are constraints from new modes of transport

There have been several significant rail openings and improvements in the SEStran area since 2008 that will have significantly made an impact on First operations.

The opening of the Alloa railway line (extending the Glasgow – Stirling service to Alloa, with good interconnectivity at Stirling for travelling to Falkirk and Edinburgh) will have had a significant impact on a key First Scotland East market.

The Airdrie – Bathgate line (extending the Edinburgh – Bathgate service to Glasgow) opened around 2010 – introducing two additional stations in the SEStran area and increased the frequency from 2 to 4 trains per hour. This will have had a significant impact on the travel opportunities in the key West Lothian corridor Armadale-Bathgate-Livingston-Edinburgh corridor

The frequency on the Shotts line, between Edinburgh and Glasgow through the southern part of West Lothian, was increased from 1 to 2 trains per hour and with a significantly reduced journey time.

The recent opening of the Borders railway (including 7 new stations in Midlothian and Scottish Borders) will compete directly with First Group services in the Galashiels – Dalkeith - Edinburgh corridor.

The opening of the Edinburgh Tram will have had less impact on the First Scotland East market. We are not in a position to verify if the presence of on-street trams in the centre of Edinburgh will have significantly impacted on the journey-time of First Scotland East services. If it has, this would be the same for competing operators and costs would also have increased.

It can however be concluded that new modes of transport will have had a significant impact on much of the market served by First Scotland East.

There have been regulatory changes to Scottish Bus Services

We cannot agree that the introduction of Quality Partnerships in the SEStran area will have had any measurable impact on operating costs of the bus operators They should however have enhanced the attractiveness of travelling by bus, thereby stimulating bus travel.

We would therefore argue that actions and involvement by local authorities in the SEStran area regarding bus services will have had no measurable impact on the operators' costs.

The 'Hybrid CPT Cost Index' does not accurately reflect rising bus operating costs in Scotland

First group claim that labour costs have increased faster in Scotland than in the rest of the UK, that there has been larger investment in new vehicles in Scotland than in the rest of the UK and that there has been larger relevant increase in non-bus costs in Scotland than in the rest of the UK.

We are not in a position to verify these claims but should they be 'correct', there would be an argument that First Scotland East would have been at a disadvantage relative to other operators in not being able to recoup these costs through higher fares.

It would however also be reasonable to argue that greater investment in rolling stock should be reflected in higher level of patronage and an increase in income.

It could perhaps also be questioned if First Edinburgh East has over the last decade made the same relative level of investment in rolling stock when compared with the other major operators in the area – but part of the reason for this could of course be due to the fares restriction.

First Scotland East have cost increases outside the scope of the price mechanism and that cannot be recovered.

SEStran is not in a position to verify the accuracy of this claim.

The operator cite the closure of the old Galashiels Bus Station (owned by First) and being replaced by a new (multi-modal) Interchange where the operators will have to pay a departure charge.

It can be argued however that a new interchange with very modern facilities will stimulate bus travel and should increase patronage and fares income.

Cost pressures have been exacerbated by declining revenues resulting from reduced demand for bus travel.

This may well be the case but will also have been the case for competing operators.

Where the situation will be different for First Scotland East is that they could not recover this situation through higher fares (beyond the hybrid CPT index) and would therefore instead look at a reduction in their network.

We understand that the network is now reduced to the 'minimum 75% level' and it could perhaps been argued that the fare cap has in part been instrumental in the significant decline in the First Scotland East network in large parts of the SEStran area.

The inability of First Scotland East to recover its costs may deter competitors from entering or expanding

We would not readily agree with this since, as mentioned earlier, First Group has faced competition from other operators in a large part of the SEStran area. However, this situation will not be uniform across SEStran and there may well be a picture of a lack of competition due to 'low' First Scotland East fares.

Conclusion

In answer to the specific questions asked in this consultation, SEStran consider – based on the above – that "there has been a change in circumstances in this (*The First Scotland East*) market, which obliges the CMA to consider a review of these undertakings"

We also consider that, due to the significant reduction in the First Scotland East network and operations over the recent years that the CMA should consider prioritising this case for review and that the review should be carried out now – although this issue is mainly for the CMA to judge
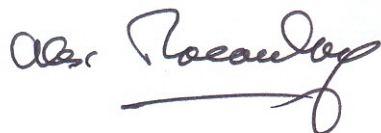
We would however argue that any review should not only consider either continuing or removing the current undertakings but it should also consider a change in the undertakings to include, for example, a minimum number of buses and depots in the SEStran area.

Should First Scotland East be free from all undertakings, we could see a repeat of the whole scale withdrawal of services in the Midlothian area being replicated elsewhere in the SEStran region but these areas may not have a large operator next door (like Lothian Buses in the case of Midlothian) to step in to fill the void and could consequently be left without much of a bus network.

I trust this response will be of assistance and we would of course be happy to discuss the issue in more detail as relevant. In this respect, contact either myself alex.macaulay@sestran.gov.uk Tel 0131 524 5152 or trond.haugen@sestran.gov.uk Tel 0131 524 5155

Kind regards,

Alex Macaulay

Partnership Director

BUSES IN NEW RESIDENTIAL DEVELOPMENT
SOME GUIDELINES

1. As a general rule no dwelling should be more that 400m from a bus stop.

2. A spine road (or roads) should be incorporated into developments in such a way that this standard is achieved.

3. Pedestrian routes should also be designed to facilitate this level of accessibility and ensure that the most direct routes between dwellings and bus stops are provided.

4. Spine roads should be designed to ensure the safe, free and unhindered movement of buses into and through a development. There should be no parking on spine roads and so off-street parking in developments should be generous.

5. A shelter with lighting and route information should be provided at every bus stop.

6. Whether a terminal loop for buses is incorporated in a large development will depend on the location of the development in relation to existing bus routes. if an existing route can be diverted through the development without harming bus accessibility elsewhere then no terminal will be required unless operators wish to terminate some buses within the development. If a through service cannot be diverted then a new service into the development will be required and a terminal facility provided in a location which satisfies point No.1. In all cases the operators will advise.

7. Sizeable developments (say 100+ dwellings) will require a good level of service to make bus usage attractive. One bus per hour does not represent a good level of service. A minimum half hour service off peak will be required with more buses during the peaks. If there is no prospect of this being achieved then on sustainability grounds the location should not be considered for development.

8. Where a development is located close to a rail station buses should link directly with that station and bus and rail timetables should be coordinated. Where there is no convenient rail station buses should link with a recognised town centre bus hub and ideally with a rail station further afield.

9. Buses should link with major convenience shopping provision nearby.

10. Bus services should be provided when the first residents move in so that they have a public transport option at the outset, and developers should indicate to prospective purchasers the likely bus service provision.

11. Small rural developments should only be located in settlements regularly served by bus.

BARRY TURNER MRTPI (Retired)
Chairman of RELBUS (Rural East Lothian Bus Users) and non-councillor board member of SEStran
May 2015