Local Bus Services and Smart Ticketing Consultations

1.   INTRODUCTION

1.1   This report provides the Board with an update on the launch of two consultations: 'Local Bus Services in Scotland – Improving the Framework for Delivery[1]' and one concerning smart ticketing: 'The Future of Smart Ticketing in Scotland[2]' on 13th September 2017.

2.   CONSULTATION

2.1   The proximity of publication of consultations has meant that only a holding report can be tabled to the Partnership Board in September. However, Transport Scotland has agreed on 13th September to a short extension to both consultations for us to consider these matters at the Board meeting on 8th December. The consultation closes on 5th December.

2.2   The Local Bus Services in Scotland Consultation recognises that bus patronage is declining in Scotland. The consultation proposes the following:

- Existing sQPs (statutory Quality Partnerships) are not as flexible as they should be and future needs for bus services should be developed with operators. Proposals for more integrated, genuine partnership-focused 'Service Improvement Partnerships' (SIP) are proposed based on a joint review of the local bus service network;

- QCs (Quality Contracts), as a form of franchising, are considered over complex and resource intensive. A more flexible, simpler and more customised approach to franchising which can be used for smaller scale scenarios such as routes and small networks is considered. One possible process highlighted is based on the principles of an Outline Business Case (OBC) to identify a preferred option which evidence regarding the costs and benefits. Approval for a local franchise is then carried out by an independent panel, by Scottish Ministers or by another individual such as the Traffic Commissioner.

- In order to clarify the powers of transport authorities who wish to run bus services, it is proposed to legislate to enable them to be able to run bus services directly and/or to be able to set arms-length companies (i.e. Lothian Buses).

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[1] https://consult.scotland.gov.uk/transport-scotland/improving-bus-services

[2] https://consult.scotland.gov.uk/transport-scotland/smart-ticketing-in-scotland

- Clear, high quality and up to date information is essential for the smooth running of bus services. The consultation paper proposes to make provision to require the operators of local services to provide information on routes, timetables, punctuality and fares for public access, in order to ensure consistency of approach and opportunities for innovative developments in both use and access to information. A central data hub or 'one-stop-shop', available to third parties is proposed along with legislation to ensure that authorities have the power to obtain the information about revenue and patronage of services being deregistered where required.

Consultation questions are available in **Annex 1**.

2.3 The Future of Smart Ticketing in Scotland Consultation is based on the assumption that legislation may be necessary to achieve full operator participation in national and regional smart ticketing schemes and that some form of recognised and formalised governance may be necessary to support this on an on-going basis. In line with Transport Scotland's Smart Ticketing Delivery Strategy (2012), it is proposed that:
- there is an agreed common infrastructure in place, adopted by all participating operators and, secondly, a consistent, simple and easy to use customer offering;
- there then needs to be a means of ensuring that integrity and relevance of national and key regional smart ticketing schemes is maintained and an orderly and planned migration in due course to more advanced technologies as these emerge;

Consultation questions are available in **Annex 2**.

3. CONCLUSIONS/RECOMMENDATIONS

3.1 Members are invited to submit their comments to SEStran Officers for collation by the 24th of November. Following this, SEStran Officers will provide a paper and proposed SEStran response at the next Partnership Board on the 8th December.

Catriona Macdonald
Projects Officer
15th September 2017

Policy Implications	To be determined in report to 8th December board.
Financial Implications	To be determined in report to 8th December board.
Equalities Implications	To be determined in report to 8th December board.
Climate Change Implications	To be determined in report to 8th December board.

Annex 1 – Consultant Questions – Local Bus Services in Scotland

Partnerships

Question 1 - Do you think that legislation (either via the existing sQP model or another) is required to secure the benefits of partnership working?   Please answer Yes ☐, or No ☐. Please explain your answer to this question:-

Question 2 - Do you feel that statutory Quality Partnerships as defined in the Transport (Scotland) Act 2001 provide the right framework for partnership working?   Please answer Yes ☐, or No ☐. Please explain your answer to this question:-

 Question 3 – Do you agree with our proposals for Service Improvement Partnerships as outlined in pages 32-35?   Please answer Yes ☐, or No ☐. Please explain your answer to this question:-

Question 4 – If a new form of statutory Partnership is introduced, do you agree that statutory Quality Partnerships as defined in the Transport (Scotland) Act 2001 should be replaced (i.e. they would no longer be available as a tool for LTAs)? Please answer Yes ☐, or No ☐. Please explain your answer to this question:-

Local Franchising

 Question 5 – Do you think that local authorities should have the power to franchise bus services (either via Quality Contract or another system)? Please answer Yes ☐, No ☐. Please explain your answer to this question:-

Question 6 – Do you think that the existing Quality Contracts require change to make franchising a more viable option?   Please answer Yes ☐, or No ☐. Please explain your answer to this question:-

Question 7(a) – Do you think that there should be any consent mechanism for an authority to begin the process of assessment for franchising?   Please answer Yes ☐, or No ☐. Please explain your answer to this question:-

 Question 7(b) – Do you think that there should be a requirement for independent audit of the business case for franchising?   Please answer Yes ☐, or No ☐. Please explain your answer to this question:-

Question 7(c) – Do you think that there should be an approval process beyond that of the local authority itself, before franchising can take place?   Please answer Yes ☐, or No ☐. Please explain your answer to this question including (if yes) what kind of approval process:-

Transport Authority Run Bus Services

Question 8(a) – Do you think that transport authorities (including 'model III' RTPs) should be able to directly run bus services? Please answer Yes ☐, No ☐. Please explain your answer to this question:-

Question 8(b) – Please describe the circumstances in which this might be appropriate:-

Question 8(c) – What, if any, safeguards do you think should be put in place to ensure that no operator has an unfair advantage in a deregulated market? Please explain your answer to this question:-

Question 9(a) – Do you think that transport authorities (including 'model III' RTPs) should be able to set up arm's length bus companies to operate local bus services? Please answer Yes ☐, No ☐. Please explain your answer to this question:-

Question 9(b) – Please describe the circumstances in which this might be appropriate:-

Question 9(c) – What if any safeguards do you think should be put in place to ensure that no operator has an unfair advantage in a deregulated market?

Question 9(d) – What, if any, checks and balances do you think should be put in place for a transport authority looking to set up an arms' length company to run buses? Please explain your answer to this question.

Open Data

Question 10 – Do you agree with our proposals to require the operators of local services to release open data on routes, timetables, punctuality and fares in a specified format? Please answer Yes ☐, No ☐. Please explain your answer to this question:-

Question 11 (a) – Do you think that data provided by operators should be stored in a central data hub? Please answer Yes ☐, or No ☐. Please explain your answer to this question:-

Question 11(b) – if you do not support the use of a central data hub how do you think data should be stored/ made available? :-

Question 12 – Do you support proposals for transport authorities to have the power to obtain, information about revenue and patronage of services being deregistered, and where appropriate disclose this as part of a tendering process? Please answer Yes ☐, or No ☐. Please explain your answer to this question:-

Other

Question 13 – Please provide any other comments or proposals around the regulation of bus services in Scotland that were not covered in the above questions.

Question 14 - Are there any likely impacts the proposals contained within this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above? Please answer Yes ☐, No ☐. Please be as specific as possible:-

Question 15 - Do you think the proposals contained within this consultation may have any additional implications on the safety of children and young people? If yes, what would these implications be? Please answer Yes ☐, No ☐. Please be as specific as possible:-

Question 16 - Do you think the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any sector? Please answer Yes ☐, No ☐. Please be as specific as possible:-

Question 17 - Are there any likely impacts the proposals contained in this consultation may have upon the privacy of individuals? Please answer Yes ☐, No ☐. Please be as specific as possible:-

Question 18 - Are there any likely impacts the proposals contained in this consultation may have upon the environment? Please answer Yes ☐, No ☐. Please be as specific as possible:-

Annex 2 – Consultant Questions – The Future of Smart Ticketing in Scotland

Do you think our intention to have a consistent smart payment option available across Scotland and on all main public transport modes would promote use of public transport in Scotland? Yes ☐ No ☐ Please explain your answer.

Do you agree that the scope of smart ticketing should – for now – be limited to the modes and services outlined above? Yes ☐ No ☐ Please explain your answer.

Question 3 - epurse

a) Are you in favour of a clearly defined national epurse scheme? Yes ☐ No ☐

b) Should all relevant bus, rail, ferry, tram and subway operators be expected to participate in a national epurse scheme? Yes ☐ No ☐

c) Should participation in a national epurse scheme be monitored and controlled? Yes ☐ No ☐

d) Should sanctions be imposed for non-compliance in a national epurse scheme? Yes ☐   No ☐ Please explain your answers.

Question 4

a) Are you in favour of a clearly defined multi-modal, multi operator regional smart ticketing scheme? Yes ☐ No ☐

b) Should all relevant bus, rail, ferry, tram and subway operators be expected to participate in a multimodal, multi operator regional smart ticketing scheme? Yes ☐ No ☐

c) Should participation in a multimodal, multi operator regional smart ticketing scheme be monitored and controlled? Yes ☐ No ☐

d) Should sanctions be imposed for non-compliance in a multi-modal, multi operator regional smart ticketing scheme? Yes ☐ No ☐ Please explain your answers.

Question 5

Are you in favour of new legislation that requires transport operators to participate in national and regional smart ticketing schemes? Yes ☐ No ☐

Please explain your answer.

Question 6

To ensure delivery of a consistent approach to meet the expectations of passengers now and in the future, should we establish a single governance group so that the technology implemented across Scotland for smart ticketing schemes is controlled? Yes ☐ No ☐

Should such a governance group be established formally and supported by legislation? Yes ☐ No ☐

Should such a governance group have a role in advising on development, implementation or administration of smart ticketing schemes? Yes ☐ No ☐

 Are there any other areas that a governance group should have a role in? Yes ☐ No ☐ Please explain your answers.

Question 7

Do you have any other comments about any of the issues raised in this consultation? Yes ☐ No ☐ If so, please use the box below to provide details.

Question – Equality Impacts

Are there any likely impacts the proposals contained within this Consultation may have on particular groups of people, with reference to the 'protected characteristics' listed above? Please be as specific as possible.

Question – Children and young people

Do you think the proposals contained within this Consultation may have any additional implications on the safety of children and young people?

Question – Business impacts

Do you think the proposals contained in this Consultation are likely to increase or reduce the costs and burdens placed on any sector? Please be as specific as possible.

Question – Privacy impacts

Are there any likely impacts the proposals contained in this Consultation may have upon the privacy of individuals? Please be as specific as possible.